立法會 Legislative Council

LC Paper No. CB(2)408/12-13 (These minutes have been seen by the Administration)

Ref: CB2/PL/FE

Panel on Food Safety and Environmental Hygiene

Minutes of meeting held on Tuesday, 13 November 2012, at 2:30 pm to 5:00 pm in Conference Room 1 of the Legislative Council Complex

Members : Hon Alan LEONG Kah-kit, SC (Chairman)
present Hon Steven HO Chun-yin (Deputy Chairman)

Han James TO Van san

Hon James TO Kun-sun

Hon Vincent FANG Kang, SBS, JP Hon WONG Kwok-hing, MH Hon CHEUNG Kwok-che Hon WONG Yuk-man

Hon Claudia MO

Hon CHAN Chi-chuen

Dr Hon Kenneth CHAN Ka-lok Dr Hon Helena WONG Pik-wan

Hon Christopher CHUNG Shu-kun, BBS, MH, JP

Member attending

Hon CHAN Hak-kan, JP

Members absent

: Hon Tommy CHEUNG Yu-yan, SBS, JP Dr Hon Joseph LEE Kok-long, SBS, JP

Dr Hon LEUNG Ka-lau

Public Officers: attending

Item IV and V

Dr KO Wing-man, BBS, JP Secretary for Food and Health Professor Sophia CHAN Siu-chee Under Secretary for Food and Health

Mr Christopher WONG Kwok-bun, JP Permanent Secretary for Food and Health (Food) (Acting)

Dr LEUNG Siu-fai, JP
Deputy Director of Agriculture, Fisheries and
Conservation

Item IV

Dr Jeffrey JAI Man-ho Senior Veterinary Officer (Animal Management) Operations (Acting) Agriculture, Fisheries and Conservation Department

Item V

Dr Michelle YEUNG Lee Senior Veterinary Officer (Technical Services) Agriculture, Fisheries and Conservation Department

Attendance by invitation

Item IV

:

Non-Profit making Veterinary Services Society Ltd

Mr Mark MAK Chi-ho Executive Chairman

The Civic Party

Miss Dora WONG Convenor of Civic Party Animal Rights Concern Group

Society for the Prevention of Cruelty to Animals (Hong Kong)

Dr Fiona WOODHOUSE Deputy Director, Welfare

Liberal Party Pet's Rights Concern Unit

Mr Kenneth WONG Convener

Hong Kong Pet Trade Association

Mr Howard CHEUNG President

Animal Earth

Mr David WONG Kai-yan Chief Officer

Animal Life Guard Action Group

Ms HO Loy

Hong Kong Society of Herpetology Foundation

Mr Michael TUEN Kwok-leung Chief Executive Officer

Happy Animals

Ms CHAN Wai-man Committee Member

Ms Amanda WHITFORT

Associate Professor Faculty of Law The University of Hong Kong

Hong Kong Dog Rescue

Ms Sally ANDERSEN Founder

Cat Society

Miss Elaine CHAN Committee

Ms Angela SCOTT

Lifelong Animal Protection Charity

Ms Jennifer CHAN Co-Chair

Hong Kong Veterinary Association

Ms Florence CHAN Secretary

STOP! Save Hong Kong's Cats and Dogs

Miss Gloria LI Co-chairperson

Animals Friends

Miss Jessie NG Founder

Protection of Animals Lantau South

Ms Jacqui GREEN

9x9 Guy Fond Dogs

Miss HSIEH Hsiao-yang Core Member

Item V

Society for the Prevention of Cruelty to Animals (Hong Kong)

Dr Jane GRAY Deputy Director, Veterinary

Non-Profit making Veterinary Services Society Ltd

Mr Mark MAK Chi-ho Executive Chairman

Hong Kong Veterinary Association

Dr Tom MANGAN President

China (Hong Kong) Veterinary Association

Mr Cornwell SHIU President Clerk in attendance

Ms Elyssa WONG

Chief Council Secretary (2) 5

Staff in attendance

Mr Jove CHAN

Senior Council Secretary (2) 6

Ms Priscilla LAU

Council Secretary (2) 5

Ms Michelle LEE

Legislative Assistant (2) 5

Action

I. Confirmation of minutes

[LC Paper No. CB(2)142/12-13]

The minutes of the meeting held on 16 October 2012 were confirmed.

- II. Information paper(s) issued since the last meeting [LC Paper Nos. CB(2)82/12-13(01) and CB(2)110/12-13(01)]
- 2. <u>Members</u> noted the following papers issued since the last meeting -
 - (a) Information note provided by the Administration on its decision to further extend the rental freeze of public market stalls for one year until 31 December 2013; and
 - (b) Letter dated 24 October 2012 from Dr Hon Kenneth CHAN Ka-lok on regulation of private columbaria and the planning of public columbaria.
- 3. Mr WONG Kwok-hing welcomed the Administration's further extension of the rental freeze of public market stalls until 31 December 2013. He requested the Administration to consult the Panel on its review on public market stall rentals. He also suggested that deputations, in particular public market stall tenants ("the tenants"), should be invited to give views at a future meeting. The Chairman said that the Administration should take the opportunity of the extended period of rental freeze to review and enhance the public market stall rental mechanism. He further said that at the meeting between the Chairman and Deputy Chairman of the Panel and the Secretary for Food and Health ("SFH") on 22 October 2012 to discuss the Panel's work plan for the 2012-2013 legislative session, he had discussed with the Administration a meeting arrangement proposal for the Panel to follow up the issue of the public market stall rental mechanism. It was proposed that the Administration should provide the Panel with

preliminary proposals on the public market stall rental mechanism, enhancement of the business environment and arrangements to recover air-conditioning charges and rates by December 2012. The Panel would hold a meeting in January 2013 to receive views from the tenants on the Administration's preliminary proposals. Subject to the views received from the tenants, the Administration would review its preliminary proposals and revert to the Panel on the outcomes of the review in April 2013. The Panel might invite the tenants to give views again on the outcomes of the review. Building on the views expressed by members and the tenants, the Administration would formulate its final proposals for the Panel's consideration in July 2013. The Chairman sought members' view on the meeting arrangement proposal. Members agreed.

III. Items for discussion at the next meeting

[LC Paper Nos. CB(2)173/12-13(01) and (02)]

- 4. <u>Members</u> agreed to discuss the following items at the next regular meeting scheduled for 11 December 2012 at 2:30 pm -
 - (a) Columbarium Outcome of second-round consultation and way forward;
 - (b) Columbarium Supply of public niches, including the proposed columbarium, crematorium cum funeral parlour at the Sandy Ridge Cemetery; and
 - (c) E-Applications for licences.
- 5. <u>Dr Kenneth CHAN</u> raised his concern about the timing of the discussion on the progress report of the Trap-Neuter-Release trial scheme. As reported by the media, he noted that the Administration was unable to solicit support in certain districts for the trial schemes. Notwithstanding that the item was scheduled for discussion in July 2013, he requested the Administration to consider providing an information paper on the latest situation of the scheme.

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6. <u>The Chairman</u> reminded members that a joint meeting with the Panel on Health Services was scheduled for Thursday, 20 November 2012 to receive views from deputations on the regulation of formula products and foods for infants and young children.

IV. Public consultation on proposals to better regulate pet trading [LC Paper Nos. CB(2)173/12-13(03) and (04)]

Views of deputations

- 7. At the invitation of the Chairman, the following 19 deputations presented their views on the public consultation on proposals to better regulate pet trading -
 - (a) Non-Profit making Veterinary Services Society Ltd;
 - (b) The Civic Party;
 - (c) Society for the Prevention of Cruelty to Animals (Hong Kong);
 - (d) Liberal Party Pet's Rights Concern Unit;
 - (e) Hong Kong Pet Trade Association;
 - (f) Animal Earth;
 - (g) Animal Life Guard Action Group;
 - (h) Hong Kong Society of Herpetology Foundation;
 - (i) Happy Animals;
 - (j) Ms Amanda WHITFORT;
 - (k) Hong Kong Dog Rescue;
 - (1) Cat Society;
 - (m) Ms Angela SCOTT;
 - (n) Lifelong Animal Protection Charity;
 - (o) Hong Kong Veterinary Association;
 - (p) STOP! Save Hong Kong's Cats and Dogs;
 - (q) Animals Friends;
 - (r) Protection of Animals Lantau South; and
 - (s) 9x9 Guy Fond Dogs.

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8. organ	Mem ¹ nization	bers also noted the written submissions from the ns -
	(a)	Semirah DARWIN;
	(b)	Dr Catherine SEN;
	(c)	Tae-Sook CORNELIS;
	(d)	Janice JENSEN;
	(e)	Tina JANE;
	(f)	Rachael LERIGO;
	(g)	Sonia LEUNG;
	(h)	Jennifer MCMURRY;
	(i)	Helen YEUNG;
	(j)	Miss Wing-yun WONG;
	(k)	Christie WONG;
	(1)	Kirsten MITCHELL;
	(m)	POH Siew Yen;
	(n)	Courtney LINK;
	(o)	J J GREEN;
	(p)	Yolanda YAN;

Steve CORRY;

Karen DICKS;

Tommy CHAN;

Alexandra YEONG;

Kathleen KUOK;

Reiko OKUDA;

Javier CHICON;

Ashley H;

Eva CHAN;

(q)

(r)

(s)

(t)

(u)

(v)

(w)

(x)

(y)

following

- (z) Susan Bie WONG; Sonali SANYAL: (aa) (bb) Monica CHAN; Norma MITROVICH; (cc) (dd) Rahmeena KARAMDIN; Emmie OSAWA: (ee) (ff) Vivian; Angela TSANG; (gg) (hh) Jesslyn CHEONG; (ii) Ivy WONG; (ii) Maggie MAK; (kk) CHAN Tsz-him; (11)Shirley LO Kuk-wah; (mm) Wilson SCOTT; (nn) Shirley CHUA; (oo) Betty CHAN; (pp) Freda; (qq) Winnie LUI;
- (ss) Loletta CHAN.
- 9. A summary of the views of deputations is in **Appendix I**.

Dr John WEDDERBURN; and

Discussion

(rr)

Regulation of pet breeding and trading

10. Mr WONG Kwok-hing noted the concern of deputations that the threshold of the proposed licensing system for the breeding of dogs for sale was too low and would attract new participants to the pet breeding and trading business. SFH responded that he would listen carefully to the

views received during the consultation exercise before finalizing the regulatory measures for pet breeding and trading.

- Dr Kenneth CHAN sought clarification from Mr Mark MAK of 11. Non-Profit making Veterinary Services Society Ltd ("NPVSS") concern that the proposed regulation would legitimize the practice of hobby breeders and attract more people to participate in the pet trading business. At the invitation of the Chairman, Mr MAK responded that animal welfare groups had called for a ban on pet breeding and trading for commercial purposes. While he supported the Administration's proposal to remove the current exemption under the Public Health (Animals and Birds) (Animal Traders) Regulations (Cap. 139B) ("the Regulations") that a person might sell or offer to sell any animal kept by him as pet or any offspring thereof without a licence, he objected to the proposed Animal Breeder Licence Category A ("ABLA"), Animal Breeder Licence Category B ("ABLB") and One-off Permit, for fear that unscrupulous traders might make use of these different types of licences/permits to bypass the more stringent requirements of the Animal Trader Licence ("ATL"). In his view, coupled with the proposed increase in the maximum penalties for a breach of licensing conditions and illegal trading of animals under Cap.139B, the requirement that all animal traders and breeders had to obtain ATL before they could sell animals would serve more effectively to ensure compliance with the Regulations and might eventually reduce the number of hobby breeders or even eliminate pet trading.
- 12. Noting that Ms CHAN Wai-man of Happy Animals had expressed support for the Administration's proposal as an interim measure and a ban on pet trading in the long-run, Dr Kenneth CHAN pointed out that the Administration had made no commitment to prohibit pet trading in the long-run. At the invitation of the Chairman, Ms CHAN said that many pet animals had been subjected to horrific conditions due to unregulated breeding and trading of pet animals. The resulting suffering was In her view, any proposal that could bring about real improvements to animal welfare should be adopted sooner rather than later. Ms CHAN further cited the voluntary surrender scheme for pig farm licences introduced by the Government a couple of years ago to encourage pig farmers to cease their operation as an example. The Deputy Chairman remarked that the scheme had created many problems on the livelihood of pig farm operators and workers.
- 13. <u>Ms Claudia MO</u> said that the subject of the discussion should be animal rights rather than animal welfare. She also shared the view of Ms CHAN Wai-man that the proposed regulation should be in operation as soon as practicable. <u>Ms MO</u> asked Mr David WONG of Animal Earth whether he or the animal welfare groups would agree to this standpoint. At the invitation of the Chairman, Mr WONG responded that he did not object

to the introduction of the proposed regulation as an interim measure to address the animal welfare problem. However, he expressed worry that the Administration would view the proposed regulation as an end in itself rather than a means to a broader end.

- 14. Mr David WONG further pointed out that no specific licensing conditions or requirements had been set out in the Administration's proposals or the code of practice for holders of the proposed ABLA and ABLB. SFH responded that as a first step, the Administration would wish to collect views on the general direction of the policy pertaining to the regulation of pet trading. The Panel would be further consulted on the details of the legislative proposals before the introduction of the relevant Bill.
- 15. Ms Claudia MO said that pet trading was a declining industry in most civilized societies. She sought the view of Mr Howard CHEUNG of Hong Kong Pet Trade Association on the prospects of the industry in Hong Kong and the possible impacts on the trade, such as the number of employees to be retrenched, if pet trading was banned with immediate effect. At the invitation of the Chairman, Mr CHEUNG pointed out that around 50% of the general households in the United States kept dogs or other pets. Traders there could earn their living by selling pet foods and related supplies or providing grooming services without engaging in the sale of pet animals. However, in Hong Kong, only around 7.3% of the general households kept dogs and the pet trading market was still growing as there was a high demand from customers who lived in the New Territories or other rural areas in Hong Kong. Mr CHEUNG further said that the impact of the proposed regulation on the local pet trading business would not be too significant as local pet traders could always import pet animals for sale in Hong Kong instead of acquiring them from local breeders.
- 16. <u>Mr CHAN Chi-chuen</u> expressed support for the prohibition of home breeding. In his view, the proposed One-off Permit might create a loophole for home breeders to abuse the licensing arrangement by applying for a permit for each member of the same family. <u>SFH</u> responded that this could be dealt with by setting more restrictive licensing conditions.
- 17. <u>SFH</u> set out his observations about the divergent views that had been articulated by deputations on regulating the pet trade. On the one hand, there was the school of thought that all kinds of pet trading should be prohibited. On the other hand, there were advocates who felt that only hobby breeding, which was a source of abuse by commercial breeders, should be prohibited. The Administration would consider the merits and demerits of both options, as well as the financial implication, if any, for the

provision of compensation to licensees if a ban were to be imposed on pet breeding and trading before deciding on the way forward.

- 18. The Deputy Chairman said that the pet animal breeders also welcomed the proposed regulation as it would eliminate unscrupulous operations in the trade. However, some commercial breeders considered the requirements and licensing conditions too wide and stringent which made it very difficult for them to successfully obtain a licence.
- 19. <u>SFH</u> noted that licence applicants were required to comply with requirements under the Regulations as well as other requirements on the use of land and fire safety. AFCD would offer assistance to licence applicants where necessary.
- 20. The Deputy Chairman said that the animal `breeding business was generally regarded as a kind of animal husbandry which was a branch of agriculture in overseas countries. If this was applicable to Hong Kong, pet breeding should be allowed to operate on farmlands. Ms HO Loy of Animal Life Guard Action Group expressed her strong view that it was inappropriate to place the breeding of pet animals under the policy portfolio of agriculture and fisheries in Hong Kong as animals in husbandry were raised as livestock for meat.

Licensing conditions and Code of Practice for animal breeders

- 21. Mr WONG Kwok-hing noted the views of some deputations that a limit on the breeding age of bitches should be set to avoid abuse of pet breeding. SFH responded that he maintained an open attitude about setting more specific and stringent regulations on aspects such as the breeding age of bitches and the maximum number of litters each bitch was permitted each year. The Administration would consider appropriate standards for care and breeding of dogs after consolidating the views received from the consultation exercise. Mr WONG highly commended on SFH's positive response and openness to enhancing the regulations.
- 22. Mr CHAN Chi-chuen noted with grave concern the effectiveness of the proposed regulation of home breeders. In his view, home breeders could easily satisfy the requirements for the proposed One-off Permit for selling pet dogs. He shared the views of some deputations that additional and more stringent conditions, such as only one litter for one bitch, mandatory neutering and restriction on the breeding age should be adopted. He sought information from the Administration on the measures to enforce compliance with the requirements for home breeding, such as conducting site inspections upon receipt of reports/complaints.
- 23. <u>SFH</u> responded that the Administration would seek to find a balanced way forward, having regard to the diverse views expressed by

different stakeholders. More specific conditions and measures would be defined after the general direction was agreed on. <u>SFH</u> stressed that the provision of One-off Permit was proposed in order not to deprive pet owners of the choice of selling their dogs, subject to compliance with certain conditions.

- 24. In response to the Deputy Chairman's enquiry on the views of the trade to the proposed regulations, <u>Deputy Director of Agriculture</u>, <u>Fisheries and Conservation</u> ("DDAFC") replied that animal breeders generally welcomed the endeavours being pursued by the Administration to implement appropriate regulation of the pet trade.
- 25. The Deputy Chairman conveyed the views of some animal breeders that the proposed regulation for pet breeding and trading should include more specific requirements and licensing conditions. The Administration should also consult them on the draft detailed requirements and licensing conditions. DDAFC advised that a working group, set up under the Animal Welfare Advisory Group which advised the Director of Agriculture, Fisheries and Conservation on matters concerning animal welfare, was tasked to draft the licensing conditions and code of practices for dog breeders, taking into consideration views of members and the deputations on the subject. He also assured members that stakeholders would be duly consulted on the draft licensing conditions and code of practices.

Extending the licensing conditions to other animals

- 26. Mr WONG Kwok-hing noted that the proposed licensing mechanism only applied to dogs. He said that during the previous discussion by the Panel, the Administration of the previous term of the Government had refused to extend the licensing conditions to cats and other pet animals. He asked whether the current term of the Government would consider extending the licensing conditions to cover cats, reptiles and other pet animals.
- 27. Mr CHAN Chi-chuen echoed Mr WONG Kwok-hing's views that cats should be included in the proposed regulation. He enquired the difficulties faced by the Administration in including cats in the proposed regulation. Mr CHAN further asked the Administration to provide a timetable for extending the licensing conditions to cats to avoid abuse of cat breeding. SFH responded that he had an open mind on this, whilst noting that the Administration might have to put in place a microchip scheme for cats first to lay the ground for extending the proposed regulation to cats.

Enforcement of the proposed regulation

28. Dr Kenneth CHAN noted the concern expressed by some deputations that AFCD might not have adequate manpower to monitor the operations of animal breeders. He sought further views from Mr David WONG of Animal Earth about government enforcement of the regulations. At the invitation of the Chairman, Mr WONG said that both the pet trade and animal welfare groups had grave concern about the manpower of AFCD to take enforcement actions. There was also hearsay that some AFCD officers would inform the pet traders in advance of site inspections. SFH said that this was a serious accusation. The Administration attached great importance to the probity of the civil service, including such core values as adherence to the rule of law and due process when performing public duties. He asked the deputation to provide details of the allegation and the Administration would investigate it fully and impartially.

Way forward and conclusion

- 29. The Chairman enquired about the legislative timetable of the proposed regulation. Referring to a report prepared by Ms Amanda WHITFORT, Associate Professor of the Faculty of Law, The University of Hong Kong, on the regulation of breeding and trading of pet animals issued in June 2010, the Chairman asked the Administration to give consideration to the recommendations contained in the report when drafting the licensing conditions. He also urged the Administration to consult the public, the trade and the stakeholders on the draft licensing conditions.
- 30. <u>SFH</u> noted the views of the Chairman and advised that the Administration would revert to the Panel in the first half of 2013 on the outcome of the public consultation. He noted that the collective views articulated so far appeared, on balance, to be in favour of the Government implementing proposals to tighten the control over the pet trade as soon as possible so as to regulate hobby dog breeders. The Administration would take into account all views received in the consultation exercise when finalizing the legislative proposals.

V. Public consultation on "Proposals to Amend the Veterinary Surgeons Registration Ordinance (Cap. 529)" [LC Paper No. CB(2)173/12-13(05) and (06)]

(At this juncture, as the Chairman had to attend the meeting of the Committee on Rules of Procedure, the Deputy Chairman took over the chair.)

Views of deputations

- 31. At the invitation of the Deputy Chairman, the following four deputations presented their views on the public consultation on "Proposals to Amend the Veterinary Surgeons Registration Ordinance (Cap. 529)" ("the Amendment Proposals") -
 - (a) Society for the Prevention of Cruelty to Animals (Hong Kong)
 - (b) Non-Profit making Veterinary Services Society Ltd
 - (c) Hong Kong Veterinary Association
 - (d) China (Hong Kong) Veterinary Association
- 32. A summary of the views of deputations is in **Appendix II**.

Discussion

Expanded membership of the Veterinary Surgeon Board of Hong Kong

- 33. <u>SFH</u> thanked the deputations for their views and was glad to know that the deputations were generally supportive of the Amendment Proposals. One of the deputations suggested that animal breeders and representatives of the trade should be appointed to the Veterinary Surgeons Board of Hong Kong ("VSB") to broaden the representation of VSB and facilitate its handling of complaints in relation to the care of animals which were/might be unfit for sale. Similar to the case of self-regulating bodies overseeing other professions, <u>SFH</u> advised that the proposal of appointing lay persons to VSB (as a statutory body set up to regulate the conduct of registered veterinary surgeons) was to represent the interests of the consumers of veterinary service. Seen in that light, it would not be appropriate for the Administration to appoint animal breeders or representatives of the trade to VSB.
- 34. Mr Mark MAK of NPVSS did not agree with the Administration's explanation. At the invitation of the Deputy Chairman, he explained that the current complaint mechanism of VSB was not fair as most VSB members were veterinary surgeons. SFH advised that he also noted the controversies surrounding the issue of professional autonomy in some overseas jurisdictions. There was a view that only peer veterinary surgeons could be in a position to judge whether the practice of another veterinary surgeon met the accepted standard of care. That said, as society became more open, more lay persons were expected to be appointed to a self-regulating professional board to represent the interests of the general

public. Increasing the number of lay members on VSB was considered conducive to the healthy development of the profession.

Panel of assessors

35. Mr CHAN Chi-chuen pointed out that all members of the panel of assessors, be they registered veterinary surgeons or non-veterinary surgeons, would be nominated by SFH and appointed by VSB, whereas the six newly added professional members to VSB would be elected by members of the profession. Mr CHAN enquired about the reason for the different arrangement of appointing members to the panel of assessors and VSB. SFH advised that VSB was tasked with the role of furthering the healthy development of the profession and upholding high standards of veterinary service for the public, while the panel of assessors was set up to help enhance VSB's complaint-handling capacity and widen VSB's exposure to external expertise and advice from users' perspectives. Since they performed different roles and functions, the considerations underpinning the appointment of members to these bodies were different.

Views received from the public consultation

- 36. <u>Dr Helena WONG</u> enquired whether the three sessions of the current consultation exercise had been completed and whether there were strong views opposing the Amendment Proposals. <u>The Deputy Chairman</u> further enquired about the major areas of public concerns that had been articulated. <u>Senior Veterinary Officer (Technical Services)/Agriculture, Fisheries and Conservation Department</u> ("SVO(TS)/AFCD") responded that two public consultation sessions had been held and the third session would be held on Thursday, 15 November 2012. Views received from the two sessions were supportive of the Amendment Proposals in general.
- 37. SVO(TS)/AFCD further said that some members of the public had suggested that at least one of the veterinary surgeon members on the Preliminary Investigation Committee should be a practising veterinary surgeon. There were also views surrounding the question of whether and if so how the Chairman of VSB should be elected. Some other views received were unrelated to the Amendment Proposals.

VI. Any other business

38. There being no other business, the meeting ended at 4:50 pm.

Council Business Division 2
<u>Legislative Council Secretariat</u>
2 January 2013

Panel on Food Safety and Environmental Hygiene

Meeting on Tuesday, 13 November 2012 on Public consultation on proposals to better regulate pet trading

Summary of views and concerns expressed by deputations/individuals

Proposal to regulate the breeding and trading of dogs			
The deputations in general support the Administration's proposal to regulate the breeding and trading of dogs. They generally consider that the proposal could help improve animal health and welfare. Some deputations are concerned about the increasingly rampant dog breeding by private pet owners on residential premises and the absence of legislation to regulate the selling of animals kept by hobby breeders. They welcome the proposed regulatory measure to regulate the breeding and selling of dogs by hobby breeders.			

Organization / Individual	Major views and concerns
 Kirsten Mitchell Norma Mitrovich Reiko Okuda Sonali Sanyal Dr Catherine SEN Angela Tsang Ms Amenda Whitfort Ivy Wong Yolanda YAN Poh Siew YEN Vivian 	
 Hong Kong Dog Rescue Lifelong Animal Protection Charity Betty CHAN Eva CHAN Tae-Sook Cornells Karen Dicks Shirley LO Kuk-wah Winnie LUI Jennifer McMurry Emmie Osawa Ms Angela Scott Wilson Scott Dr John Wedderburn Susan Bie Wong Miss Wing-yun WONG Alexandra YEONG Helen YEUNG 	 While welcoming the Administration's proposal to tighten the control over the pet trade, the deputations consider that the control does not go far enough to protect the welfare of animals. In their view, the Administration should further tighten the regulation of dog breeders (particularly those hobby breeders who should not keep more than two female dogs on one premises), restrict the breeding age of dogs, and protect the welfare of breeding dogs when they can no longer breed. In the absence of guidelines of welfare standards to protect dogs under the proposed licensing system, there is a view that the Administration should put in place stringent requirements for breeding animals for sale.

Organization / Individual	Major views and concerns
• Freda	
 Hong Kong Veterinary Association Society for the Prevention of Cruelty to Animals (Hong Kong) Ms Amenda Whitfort 	1. The deputations consider that a limit should be placed on the maximum number of female dogs kept by holders of the Animal Breeders Licence Category A and Animal Breeders Licence Category B.
 Animal Friends Animal-Friendly Alliance Cat Society Hong Kong Veterinary Association Lifelong Animal Protection Charity Society for the Prevention of Cruelty to Animals (Hong Kong) Ms Rahmeena Karamdin Ms Amenda Whitfort 	 The deputations hold the view that consideration should be given to the maximum number of births for a female dog to give per year and the maximum number of times each female dog may be mated. There is a view that the Administration should require the licensed breeders to only allow their breeding female dogs to give birth once a year and the female dogs should be at least one year of age. Concern is also raised on the minimum and maximum age for breeding, with suggestions of setting at 18 months or being capped at 6 years of age respectively. All breeding dogs should be free from genetic defects. Concern is also raised on the welfare of male dogs which, in the
	deputations' view, should be covered in the proposed regulation.
Cat SocietyThe Civic PartyHong Kong Society of Herpetology	1. The deputations object to the proposed introduction of Animal Breeder Licence Category A.
Foundation • Lifelong Animal Protection Charity • Non-Profit making Veterinary Services Society Ltd	2. Some deputations consider that any private pet owners could apply for the Animal Breeder Licence Category A. This might encourage private pet owners to engage in dog breeding and in turn, promote home breeding.
9x9 Guy Fond DogsLoletta CHAN	3. Some deputations are of the view that no pet owner should keep dogs for profit making. Any persons who engage in breeding of dogs for trading

Organization / Individual	Major views and concerns
Shirley CHUASusan Bie WONG	purposes should be regarded as commercial breeders and they should be required to comply with the licensing requirements of Animal Trader Licence. The deputations also propose the abolition of Animal Breeder Licence Category A and reduce the number of female dogs to be kept by the holders of the Animal Breeder Licence Category B to two or more.
	4. There is a concern that if the proposed Animal Breeder Licence Category A is introduced, the Administration might not have sufficient manpower to monitor the operation of licensed dog breeders and enforce compliance with the licensing requirements.
Hong Kong Pet Trade Association	1. The deputation objects to the proposed introduction of Animal Breeder Licence Category A to private pet owners. It is of the view that the Administration's proposal would further affect the survival of small pet shops in Hong Kong as the local market is already monopolized by a few large pet shops.
Cat SocietyChristie WONG	1. To discourage pet trading, the deputations suggest that each pet owner could only apply for the one-off permit once in his lifetime.
 Longlife Animal Protection Betty CHAN Loletta CHAN Shirley CHUA Ms Amenda Whitfort Susan Bie WONG 	The deputations urge the Administration to ban the selling of dogs through the Internet.
Longlife Animal ProtectionBetty CHAN	1. The deputations suggest that animals should not be sold to persons under the age of 16 or below without parental consent.

Organization / Individual	Major views and concerns	
Loletta CHANMs Amenda Whitfort		
Animal Life Guard Action GroupKathleen KUOK	1. The deputations consider that the proposed regulation should also cover experimental breeds and dog abandonment.	
 Animal Earth Animal Friends Animal Life Guard Action Group Happy Animals Lifelong Animal Protection Non-Profit making Veterinary Services Society Ltd Protection of Animals Lantau South 9x9 Guy Fond Dogs Semirah Darwin Sonia LEUNG Winnie LUI Dr John Wedderburn Christie WONG 	1. Holding the view that the welfare of dogs is compromised as a result of breeding and trading of dogs, the deputations stress that pet trading should become illegal in the long run.	
Licensing conditions and Code of Practice for animal breeders		
 Society for the Prevention of Cruelty to Animals (Hong Kong) Javier Chicon Ms Amenda Whitfort 	1. The deputations support the development of the proposed Code of Practice ("CoP") for animal breeders. They also urge the Administration to incorporate CoP into part of the licensing conditions.	

Organization / Individual	Major views and concerns
Lifelong Animal Protection	1. The deputation holds the view that the licensing requirements should be stipulated in a clear and precise manner and the licensing scheme should be subject to a regular review.
 The Civic Party STOP! Save Hong Kong's Cats and Dogs 	1. The deputations express concern on the absence of details of the licensing conditions and CoP in the consultation document. They urge the Administration to consult animal welfare groups, the pet trade and other stakeholders on the draft guidelines for dog breeders.
Animals FriendsLoletta CHANShirley CHUAWinnie LUI	1. The deputations urge the Administration to put in place strict requirements in CoP and the licensing conditions. They also urge the Administration to step up enforcement to ensure compliance of licensed breeders.
Ms Angela Scott	2. There is a suggestion that breeding and trading activities should be prohibited on the residential premises.
• Cat Society	1. The deputation suggests the Agriculture, Fisheries and Conservation Department to provide mandatory training for dog breeders on animal breeding conducted by veterinary surgeons. The deputation is also of the view that all licensed breeders should receive the relevant training.
Hong Kong Veterinary Association	1. The deputation suggests that training programmes should be provided for workers in breeding establishments and pet shops.
 Hong Kong Veterinary Association Society for the Prevention of Cruelty to Animals (Hong Kong) 	1. Considering that licence holders are often not responsible for the day-to-day management of their breeding establishments, the deputations are of the view that consideration should be given to licensing the key personnel responsible for the day-to-day operations of breeding establishments.

Organization / Individual	Major views and concerns	
STOP! Save Hong Kong's Cats and Dogs	1. The deputation suggests that all pet traders should obtain business registration. The profit from pet trading should be taxable.	
Sources of dogs		
Liberal Party Pet's Rights Concern Unit	1. The deputation expresses worry that hobby breeders might still be able to give out the offspring of their breeding dogs for red packets or administrative fees, but in fact sell the dogs for gain.	
 Animal-Friendly Alliance Hong Kong Pet Trade Association Liberal Party Pet's Rights Concern Unit STOP! Save Hong Kong's Cats and Dogs 	1. The deputations express concern on the activities of smuggling dogs from the Mainland to Hong Kong. They urge the Administration to step up its effort to combat the smuggling activities, in particular at the Hong Kong-China border control points.	
	2. Some deputations call on the Administration to strengthen control on the implantation of microchips in dogs and consider the introduction of DNA testing in order to better control the sources of dogs.	
 Happy Animals Hong Kong Pet Trade Association 	1. Given the fact that many newly bought puppies are suffering from infectious diseases and other health problems, the deputations suggest that dogs offered for sale should be at least 12 weeks of age, rather than 8 weeks of age.	
Proposal to increase penalties under the Public Health (Animals and Birds) (Animal Traders) Regulations		
 The Civic Party Hong Kong Dog Rescue Longlife Animal Protection Non-Profit making Veterinary Services Society Ltd 	1. The deputations support the proposal to increase the maximum penalties for a breach of licensing conditions from \$1,000 to a fine at Level 5 (i.e. \$50,000) and that for illegal trading of animals from \$2,000 to a fine at Level 6 (i.e. \$100,000) under the Public Health (Animals and Birds) (Animal Traders) Regulations ("the Regulations") (Cap. 139B), in order to	

Organization / Individual	Major views and concerns
 Society for the Prevention of Cruelty to Animals (Hong Kong) STOP! Save Hong Kong's Cats and Dogs 	deter animal traders and breeders from breaching the Regulations. 2. Some deputations consider that the maximum penalty for breaching
Loletta CHANMonica CHANCHAN Tsz-him	licensing conditions and illegal trading of animals should be set at a higher level, so as to enhance the deterrent effect.
Jesslyn CHEONGJavier ChiconShirley CHUA	
 Tae-Sook Cornells Steve Corry Semirah Darwin 	
 Karen Dicks Shirley LO Kuk-wah Maggie Mak 	
Jennifer McMurryReiko OkudaEmmie Osawa	
Wilson ScottAngela TsangMs Amenda Whitfort	
 Ivy WONG Ms Wing-yun WONG Helen YEUNG 	
FredaVivian	

Organization / Individual	Major views and concerns		
Proposal to provide the Director of Agriculture, Fisheries and Conservation with power to revoke Animal Trader Licence for offences under the Prevention of Cruelty to Animals Ordinance (Cap. 169)			
 The Civic Party Society for the Prevention of Cruelty to Animals (Hong Kong) CHAN Tsz-him Jesslyn CHEONG Shirley CHUA Javier Chicon Steve Corry Karen Dicks Maggie MAK Reiko Okuda Ms Angela Scott Wilson Scott Angela Tsang Ivy WONG Susan Bie WONG Poh Siew YEN Vivian 	1. The deputations express support for the proposal to amend the Regulations to provide the Director of Agriculture, Fisheries and Conservation with specific power to revoke an Animal Trader Licence if the licence holder has been convicted of an offence related to cruelty to and maltreatment of animals under the Prevention of Cruelty to Animals Ordinance (Cap. 169), so that individuals who have had a history of offences relating to the welfare of animals will no longer be able to run a business overseeing the care of animals.		
Consultation period			
Animal Earth9x9 Guy Fond Dogs	1. The deputations point out that no information about the proposed licensing conditions or CoP for dog breeders is provided in the consultation document. They request the Administration to extend the period of the consultation exercise in order to allow more time for the public, the stakeholders and the pet trade to have a thorough discussion on the consultation document.		

Organization / Individual	Major views and concerns
Extending regulation to other animals	
 Happy Animals Hong Kong Society of Herpetology Foundation Lifelong Animal Protection Javier Chicon Ms Angela Scott 	1. The deputations express concern on the regulation on breeding and trading of other pets, such as cats and reptiles. They call on the Administration to provide a timetable for the introduction of regulatory measures for pets other than dogs.
Cat SocietyAlexandra YEONG	1. As the Administration's proposal aims to regulate the breeding and trading of dogs only, the deputations express worry that animal breeders might switch their business to the breeding of cats or other pets, like reptiles. In the deputations' view, the Administration should introduce the proposed new measures simultaneously for the breeding and trading of dogs and other pets.

Name of Organization / ind	ividual Submission [LC Paper No.]
Animal Earth	LC Paper No. CB(2)173/12-13(11) LC Paper No. CB(2)205/12-13(01)
Animal Friends	LC Paper No. CB(2)190/12-13(01)
Animal-Friendly Alliance	LC Paper No. CB(2)205/12-13(04)
Cat Society	LC Paper No. CB(2)205/12-13(06)
The Civic Party	LC Paper No. CB(2)173/12-13(09) LC Paper No. CB(2)205/12-13(02)
Happy Animals	LC Paper No. CB(2)221/12-13(01)
Hong Kong Dog Rescue	LC Paper No. CB(2)173/12-13(14)
Hong Kong Pet Trade Association	LC Paper No. CB(2)205/12-13(03)
Hong Kong Veterinary Association	LC Paper No. CB(2)173/12-13(16)
Liberal Party Pet's Rights Concern Unit	LC Paper No. CB(2)205/12-13(05)
Lifelong Animal Protection Charity	LC Paper No. CB(2)173/12-13(48)
Non-Profit making Veterinary Services Society	LC Paper No. CB(2)173/12-13(12) LC Paper No. CB(2)186/12-13(07)

Name of Organization / individual	Submission [LC Paper No.]
STOP! Save Hong Kong's Cats and Dogs	LC Paper No. CB(2)186/12-13(01)
Society for the Prevention of Cruelty to Animals (Hong Kong)	LC Paper No. CB(2)173/12-13(10)
Betty CHAN	LC Paper No. CB(2)186/12-13(04)
Loletta CHAN	LC Paper No. CB(2)190/12-13(04)
Eva CHAN	LC Paper No. CB(2)173/12-13(41)
Monica CHAN	LC Paper No. CB(2)173/12-13(44)
Tommy CHAN	LC Paper No. CB(2)173/12-13(35)
CHAN Tsz-him	LC Paper No. CB(2)173/12-13(54)
Jesslyn CHEONG	LC Paper No. CB(2)173/12-13(51)
Shirley CHUA	LC Paper No. CB(2)186/12-13(03)
Javier Chicon	LC Paper No. CB(2)173/12-13(39)
Steve Corry	LC Paper No. CB(2)173/12-13(33)
Tae-Sook Cornelis	LC Paper No. CB(2)173/12-13(19)
Semirah Darwin	LC Paper No. CB(2)173/12-13(17)

Name of Organization / individual	Submission [LC Paper No.]
Tina Jane Davis	LC Paper No. CB(2)173/12-13(21)
Karen Dicks	LC Paper No. CB(2)173/12-13(34)
J J Green	LC Paper No. CB(2)173/12-13(31)
Ashley H	LC Paper No. CB(2)173/12-13(40)
Janice Jensen	LC Paper No. CB(2)173/12-13(20)
Reiko Okuda	LC Paper No. CB(2)173/12-13(38)
Rahmeena Karamdin	LC Paper No. CB(2)173/12-13(46)
Kathleen KUOK	LC Paper No. CB(2)173/12-13(37)
Rachael Lerigo	LC Paper No. CB(2)173/12-13(22)
Sonia LEUNG	LC Paper No. CB(2)173/12-13(23)
Courtney Link	LC Paper No. CB(2)173/12-13(30)
Shirley LO Kuk-wah	LC Paper No. CB(2)173/12-13(55) LC Paper No. CB(2)190/12-13(02)
Winnie LUI	LC Paper No. CB(2)186/12-13(06)
Maggie MAK	LC Paper No. CB(2)173/12-13(53)

Name of Organization / individual	Submission [LC Paper No.]
Kirsten Mitchell	LC Paper No. CB(2)173/12-13(28)
Norma Mitrovich	LC Paper No. CB(2)173/12-13(45)
Jennifer McMurry	LC Paper No. CB(2)173/12-13(24)
Emmie Osawa	LC Paper No. CB(2)173/12-13(47)
Sonali Sanyal	LC Paper No. CB(2)173/12-13(43)
POH Siew Yen	LC Paper No. CB(2)173/12-13(29)
Dr Catherine SEN	LC Paper No. CB(2)173/12-13(18)
Ms Angela Scott	LC Paper No. CB(2)173/12-13(15)
Wilson Scott	LC Paper No. CB(2)186/12-13(02)
Angela TSANG	LC Paper No. CB(2)173/12-13(50)
Dr John Wedderburn	LC Paper No. CB(2)190/12-13(03)
Ms Amanda Whitfort Associate Professor, Faculty of Law, The University of Hong Kong	LC Paper No. CB(2)173/12-13(13)
Christie WONG	LC Paper No. CB(2)173/12-13(27)

Name of Organization / individual **Submission [LC Paper No.]** Ivy WONG LC Paper No. CB(2)173/12-13(52) LC Paper No. CB(2)173/12-13(42) Susan Bie WONG LC Paper No. CB(2)173/12-13(26) Miss Wing-yun WONG Yolanda YAN LC Paper No. CB(2)173/12-13(32) Alexandra YEONG LC Paper No. CB(2)173/12-13(36) Helen YEUNG LC Paper No. CB(2)173/12-13(25) Freda LC Paper No. CB(2)186/12-13(05) Vivian LC Paper No. CB(2)173/12-13(49)

Council Business Division 2 <u>Legislative Council Secretariat</u> 2 January 2013

Panel on Food Safety and Environmental Hygiene

Meeting on Tuesday, 13 November 2012 on Public consultation on "Proposals to amend the Veterinary Surgeons Registration Ordinance (Cap. 529)"

Summary of views and concerns expressed by deputations

Organization	Major views and concerns		
Views on the proposals to amend the Veterinary	Surgeons Registration Ordinance (Cap. 529)		
 China (Hong Kong) Veterinary Association The Hong Kong Veterinary Association Society for the Prevention of Cruelty to Animals (Hong Kong) 	 The deputations generally support the proposals to amend the Veterinary Surgeons Registration Ordinance (Cap. 529) ("the Amendment Proposals"). They consider the Amendment Proposals an important step towards improving the capacity of the Veterinary Surgeons Board of Hong Kong ("VSB") in performing its statutory functions and improving its efficiency in handling complaints. Some deputations propose that the decisions of the Preliminary Investigation Committee ("PIC") should be made by a majority vote and not on a consensus of opinion. 		
Composition of the Veterinary Surgeon Board of Hong Kong			
 China (Hong Kong) Veterinary Association The Hong Kong Veterinary Association Society for the Prevention of Cruelty to Animals (Hong Kong) 	 Noting that PIC is proposed to be comprised of two veterinary surgeons and one lay person, the deputations suggest that one of the veterinary surgeons should be in clinical practice. Some deputations propose that the Chairman of VSB should be selected by a method agreed to by the Board. 		

	Organization	ation Major views and concerns	
•	China (Hong Kong) Veterinary Association	1.	Making reference to the experience in Queensland, the deputation is of the view that the proportion of lay persons in VSB should be reduced.
•	Non-Profit making Veterinary Services Society Ltd	1.	While agreeing expanding the membership of VSB, the deputation considers that the proposed five lay persons in VSB should also include stakeholders in the pet trade such as animal breeders.

Name of Organization

Submission [LC Paper No.]

The Hong Kong Veterinary Association

LC Paper No. CB(2)173/12-13(08)

Society for the Prevention of Cruelty to Animals (Hong Kong)

LC Paper No. CB(2)173/12-13(07)

Council Business Division 2 <u>Legislative Council Secretariat</u> 2 January 2013