

**Bills Committee on
Veterinary Surgeons Registration (Amendment) Bill 2014**

**Supplementary information requested by Members
at the meeting on 17 November 2014**

At the meeting held on 17 November 2014, the Bills Committee requested the Administration to provide supplementary information on a number of issues to facilitate further consideration by the Bills Committee. Our response is set out below.

Supplementary information sought	The Administration's response
(a) The ratios of registered veterinary surgeons to animals in Hong Kong and overseas jurisdictions.	Based on the information available on the internet and to the best of our understanding, the ratios of pets (mainly dogs and cats) in Hong Kong, the United States and Japan to veterinary surgeons (pet/small animal veterinary surgeons) in recent years are estimated to be around 1 200:1, 3 700:1 and 1 600:1 respectively.
<p>Members would like to know:</p> <p>(b) the reason(s) for not proposing the election of all the 12 registered veterinary surgeons by members of the veterinary profession to the Veterinary Surgeons Board (VSB) in the Bill.</p> <p>(c) the merits of the proposed election of six registered veterinary surgeons by members of the veterinary profession</p>	<p>In the Veterinary Surgeons Registration (Amendment) Bill 2014 (the Bill), the Administration proposes the expansion of the membership of VSB by increasing the number of veterinary surgeons serving on the Board from six to 12, of whom six members are to be appointed by the Secretary for Food and Health (SFH) (appointed members) as is the current practice, whilst the six newly added members are to be elected by members of the profession (elected members). At the Bills Committee meeting held on 17 November 2014, a Member requested the Administration to elaborate on the reasons for not electing all the 12 veterinary members of VSB, whilst retaining six appointed members. Separately, another Member requested the Administration to provide justifications for the proposed introduction of six elected members.</p>

Supplementary information sought	The Administration's response
to the VSB.	<p>The mission of VSB is to safeguard the health and welfare of animals and the interests of animal owners through the development and improvement of professional standards, regulation of ethical standards, registration of veterinary surgeons and diligent exercise of disciplinary control of the professional activities of registered veterinary surgeons. In addition to handling complaints against veterinary surgeons, VSB has also played a pivotal role in different areas including the regulation of the veterinary profession and promotion of its sustainable development. It is therefore of utmost importance that VSB has sufficient representation from the veterinary profession in its composition and that its members have extensive professional knowledge and experience in different veterinary areas. Since the establishment of VSB, SFH in appointing members to VSB has been seeking to recruit veterinary surgeons from different fields and with different experience and expertise. They include, for example, veterinary surgeons who have specialised knowledge and experience in treating small animals, exotic animals, zoo animals or competition horses, as well as others who have specialist qualifications, are serving in private veterinary clinics or public organisations, or have profound knowledge and experience in veterinary public health. This has helped the Board to embrace diversified and balanced professional views and expertise. On the background of members from the veterinary profession who were hitherto appointed to VSB, please see item (d) below.</p> <p>In the Bill, we have proposed to expand the membership of VSB by increasing the number of</p>

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	<p>veterinary surgeons serving on the Board to 12, comprising six appointed members and six elected members. Our proposal to introduce elected members would help enhance the representativeness of VSB and encourage the greater involvement of the veterinary profession in managing its own affairs. There are also elected members in other local professional regulatory bodies such as the Medical Council of Hong Kong, the Social Workers Registration Board and the Council of the Hong Kong Institute of Certified Public Accountants. On the other hand, we have proposed retaining the six appointed members to recruit veterinary surgeons from different fields and with different experience and expertise. This would help minimise the possibility of the veterinary members of the Board being constituted of veterinary surgeons mainly from certain individual veterinary areas, in the interest of maintaining diversified and balanced professional views and knowledge in the Board. In addition, apart from the 12 members from the veterinary profession, there are six lay members and a Chairperson serving on the Board. We believe that, with such a composition, VSB would be able to uphold a balanced representation of views from different sectors, for the purpose of protecting the overall public interest.</p>
<p>(d) The background (including specialisations) of the registered veterinary surgeons appointed to the VSB since its establishment.</p>	<p><u>Annex</u> gives the background of members appointed to VSB in accordance with section 3(2)(d) of the Veterinary Surgeons Registration Ordinance (VSRO) since the establishment of VSB.</p>

¹ Section 3(2)(d) of VSRO provides that the Board shall consist of, among others, six persons who are registered veterinary surgeons.

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<p>(e) In accordance with clause 13 of the Bill, the proposed new section 28(1A) provides that SFH may by regulation provide for matters concerning an election of members to VSB. Members would like to know (i) the proposal on the election of members to VSB; and (ii) the reason(s) for the proposed regulation being subject to "negative vetting" instead of "positive resolution" by the Legislative Council (LegCo).</p>	<p>The proposed new section 28(1A) of the Bill empowers SFH to make the Election Regulation for matters concerning the election of members to VSB, including:</p> <ul style="list-style-type: none"> (a) the date, time and place and the procedure, of the election; (b) matters concerning the qualification or disqualification of the electors of the election; (c) matters concerning the qualification, disqualification or nomination of the candidates of the election; (d) the appointment of persons to assist in the holding of election; (e) the particulars of the voting or vote counting system of the election; (f) the determination, notification or questioning of election results; and (g) other matters concerning the election. <p>The provisions of the proposed Election Regulation will cover the specific electoral arrangements and procedures which are rather technical in nature. Making reference to the procedures of other subsidiary legislation of similar nature, we propose that the Election Regulation be subject to negative vetting by LegCo.</p> <p>Upon the passage of the Bill by LegCo, we shall proceed to draft the Election Regulation. Subject to the progress of the Bill going forward, we aim at consulting the veterinary profession and the LegCo Panel on the electoral arrangements in the first quarter of 2015, and tabling the subsidiary legislation before LegCo in the second quarter of 2015.</p>

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	<p>The Administration is currently considering the specific proposals of the electoral arrangements of the election of members to VSB. We will in due course provide the preliminary proposals for Members' reference.</p>											
<p>(f) The longest and shortest times taken by the VSB to conclude its investigation of a complaint received from 2002 to 2006 and from 2007 to 2011 respectively.</p>	<p>For the periods from 2002 to 2006 and from 2007 to 2011 respectively, the time taken by VSB to conclude the investigation of a complaint received is as follows:</p> <table border="1" data-bbox="639 781 1348 958"> <thead> <tr> <th data-bbox="646 790 815 869" rowspan="2">Period</th> <th colspan="2" data-bbox="815 790 1342 824">Time taken</th> </tr> <tr> <th data-bbox="815 824 1082 869">The longest</th> <th data-bbox="1082 824 1335 869">The shortest</th> </tr> </thead> <tbody> <tr> <td data-bbox="646 869 815 913">2002–2006</td> <td data-bbox="815 869 1082 913">About 56 months</td> <td data-bbox="1082 869 1335 913">Less than 1 month</td> </tr> <tr> <td data-bbox="646 913 815 958">2007–2011</td> <td data-bbox="815 913 1082 958">About 51 months</td> <td data-bbox="1082 913 1335 958">About 1 month</td> </tr> </tbody> </table>	Period	Time taken		The longest	The shortest	2002–2006	About 56 months	Less than 1 month	2007–2011	About 51 months	About 1 month
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<p>(g) In connection with section 7 of VSRO SFH must appoint a person to be the Legal Adviser to VSB. Members sought information on the need to appoint more legal advisers to VSB to cope with the rising workload as and when necessary.</p>	<p>At present, pursuant to section 7 of VSRO, there shall be a Secretary and a Legal Adviser to VSB.</p> <p>In practice, in handling a complaint alleging a disciplinary offence, VSB will appoint two members of the Board to form a Preliminary Investigation Committee (PIC) to determine whether to make a recommendation to the Board for referring the complaint to an Inquiry Committee (IC) or whether the case should be dismissed. VSB may establish one or more than one PIC to consider multiple complaints received simultaneously. When necessary, the PICs may also seek legal advice on individual cases from other lawyer(s) apart from the Legal Adviser.</p> <p>If the Board decides to refer the complaint to an IC, for that purpose VSB may establish an IC to determine whether or not the registered veterinary surgeon against whom the complaint is made has committed a disciplinary offence. The IC would conduct inquiries into the complaint. According to section 18 of VSRO, the Legal Adviser shall be</p>											

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	<p>present at every inquiry conducted by an IC.</p> <p>At present, the Secretary to the Board is a full-time staff assisting VSB in performing its functions and is supported by other members of the Secretariat. The Legal Adviser to the Board is not a full-time staff. He provides legal advice to the Board and the Secretariat as and when necessary, and attends inquiries conducted by the IC. In future, where necessary the Legal Adviser's support to VSB and the Secretariat could be enhanced so as to meet the increased workload.</p>

**Food and Health Bureau
Agriculture, Fisheries and Conservation Department
November 2014**

Annex

Information on the background of the members appointed to the Veterinary Surgeon Board in accordance with section 3(2)(d)¹ of the Veterinary Surgeons Registration Ordinance (Cap. 529) since its establishment in 1997

Term of office	Background
September 2012 to present	One member being a veterinary surgeon specialised in small animal neurology, who is practising in a private animal clinic.
September 2012 to present	One member being an operator and a veterinary surgeon of a private animal clinic, who is also an Executive Committee Member of the Hong Kong Veterinary Association (HKVA) and has profound knowledge and experience in matters related to small animals.
September 2012 to present	One member being a partner and a veterinary surgeon of a private animal clinic.
September 2009 to present	One member being a veterinary surgeon and a lecturer at the School of Biomedical Sciences of a local university, who has taught in a local tertiary institution on veterinary programmes related to food safety and farm animals, with profound knowledge and experience in these two fields.
January 2008 to present	One member being a veterinary surgeon at a private animal clinic and the Hong Kong Police Dog Unit, with profound knowledge and experience in the field of small animals.

¹ Section 3(2)(d) of the Veterinary Surgeons Registration Ordinance provides that the Veterinary Surgeons Board shall consist of, among others, six persons who are registered veterinary surgeons.

Term of office	Background
January 2008 to present	One member being a Senior Veterinary Officer in the Agriculture, Fisheries and Conservation Department (AFCD), with profound knowledge and experience in veterinary public health and administration.
September 2006 to September 2012	One member being a director and veterinary surgeon of a private animal clinic, with profound knowledge and experience in zoo animals/wild animals and exotic animals.
September 2006 to September 2012	One member being a veterinary surgeon at the Equine Hospital of the Hong Kong Jockey Club, with profound experience and expert knowledge in equine.
September 2006 to September 2012	One member being a veterinary surgeon at the Equine Hospital of the Hong Kong Jockey Club, with profound experience and expert knowledge in equine.
August 2006 to January 2008	One member being a Senior Veterinary Officer in AFCD, with profound knowledge and experience in veterinary public health and administration.
September 2003 to September 2009	One member being a Veterinary Officer in AFCD, and an Executive Committee Member of HKVA, with profound knowledge and experience in veterinary public health and administration, and very familiar with the veterinary profession in Taiwan and Australia.
September 2003 to January 2008	One member being a consultant to the Ocean Park and a veterinary surgeon of a private animal clinic, who has also been a veterinary surgeon of the Ocean Park, with profound knowledge and experience in treating marine mammals.

Term of office	Background
January 2002 to September 2009	One member being an operator and a veterinary surgeon of a private animal clinic, and also an Executive Committee Member of the HKVA, with profound knowledge and experience in research and laboratory animals as well as veterinary services.
September 2000 to September 2006	One member being an operator and a veterinary surgeon of an exotic animal clinic, the Veterinary Director of the Animals Asia Foundation, a veterinary consultant to the International Fund for Animal Welfare and a veterinary surgeon of the Kadoorie Farm and Botanic Garden, with profound experience and expert knowledge in wild animals and exotic animals.
February 1999 to September 2006	One member being an operator and principal veterinary surgeon of a private animal clinic, with profound knowledge and experience in treating small animals.
September 1998 to September 2006	One member being a senior veterinary surgeon at the Laboratory Animal Unit of a local university, and very familiar with the local veterinary profession.
September 1997 to September 2003	One member being a veterinary surgeon, and a technical manager in a private company responsible for the poultry business in the Asia-Pacific region, with profound knowledge and experience in the field of avian medicine.
September 1997 to September 2003	One member being the head and a veterinary surgeon of the Veterinary Department of the Hong Kong Jockey Club, with profound experience and expert knowledge in equine.
September 1997 to October 2001	One member being the deputy director and a veterinary surgeon at the Laboratory Animal Unit of a local university, with profound experience and expert knowledge in the field of laboratory animals.

Term of office	Background
September 1997 to February 2000	One member was the Deputy Executive Director of the Society for the Prevention of Cruelty to Animals and a veterinary surgeon specialised in small animals.
September 1997 to January 1999	One member being an operator and a veterinary surgeon of a private animal clinic, with profound knowledge and experience in treating small animals.
September 1997 to September 1998	One member being the dean and a professor of the veterinary school of an overseas university, with profound knowledge and experience in veterinary education and accreditation of veterinary programmes.