

L.N. 137 of 2014

**Dangerous Dogs Regulation (Exemption) (Amendment)
Notice 2014**

(Made by the Director of Agriculture, Fisheries and Conservation
under section 17(1) of the Dogs and Cats Ordinance (Cap. 167))

1. Commencement

This Notice comes into operation on 16 January 2015.

2. Dangerous Dogs Regulation (Exemption) Notice amended

The Dangerous Dogs Regulation (Exemption) Notice (Cap. 167
sub. leg. F) is amended as set out in sections 3, 4 and 5.

3. Part 1 heading added

Before section 1—

Add

“Part 1

**Control of Large Dogs that have Passed
Examination on Temperament and Obedience”.**

**4. Section 1 heading amended (exemption from control of large
dogs)**

Section 1, heading—

Repeal

“Exemption from control of large dogs”

Substitute

“Exemption in relation to control of large dogs that have passed examination on temperament and obedience”.

5. Part 2 added

After section 2—

Add

“Part 2

Release of Large Dogs under TNR Programme

3. Interpretation of Part 2

In this Part—

Department (漁護署) means the Agriculture, Fisheries and Conservation Department;

major dog disease (嚴重狗隻疾病) means rabies, parvovirus infection, canine distemper, infectious canine hepatitis or leptospirosis;

programme coordinator (計劃統籌者) means—

- (a) the Society for the Prevention of Cruelty to Animals (Hong Kong) Trustees Incorporated, a corporation of trustees incorporated under the Registered Trustees Incorporation Ordinance (Cap. 306); or
- (b) the Society for Abandoned Animals Limited, a company incorporated under the Companies Ordinance (Cap. 32) as in force at the time of the incorporation;

registered veterinary surgeon (註冊獸醫) has the meaning given by section 2 of the Veterinary Surgeons Registration Ordinance (Cap. 529);

TNR programme (“捕絕放計劃”) means a trial programme which—

- (a) aims at assessing the effectiveness of the trap-neuter-return mechanism in reducing the number of stray dogs within the trial zones; and
- (b) is implemented by the programme coordinators;

trial zone (試驗區) means—

- (a) the Cheung Chau trial zone, as delineated and edged blue on the map deposited at the Department’s headquarters which was—
 - (i) signed by the Director on 14 October 2014; and
 - (ii) numbered AFD-LS-2014-53-2B; or
- (b) the Tai Tong trial zone, as delineated and edged blue on the map deposited at the Department’s headquarters which was—
 - (i) signed by the Director on 14 October 2014; and
 - (ii) numbered AFD-LS-2014-53-1B.

4. Exemption in relation to release of large dogs under TNR programme

- (1) Section 9(1) of the Dangerous Dogs Regulation (Cap. 167 sub. leg. D) does not apply to a person who causes, suffers or permits a large dog to be released under the TNR programme.

- (2) For subsection (1), a large dog is released under the TNR programme if—
 - (a) it is released within a trial zone by a person carrying an identification card issued by a programme coordinator to show that the person—
 - (i) is an employee or volunteer of the coordinator; and
 - (ii) has completed a training course organized by the coordinator; and
 - (b) it bears an identification mark which is affixed by the coordinator on the basis that it—
 - (i) has been assessed, in terms of health and temperament, as being suitable for release within a trial zone;
 - (ii) has been neutered by a registered veterinary surgeon; and
 - (iii) has been vaccinated against each of the major dog diseases.
- (3) For subsection (2)(a)(ii), the training course—
 - (a) must cover animal nutrition, animal behaviour, environmental safety and dog catching methods; and
 - (b) must be approved by the Director.
- (4) For subsection (2)(b)(i)—
 - (a) an assessment regarding the health of a large dog must be carried out by a registered veterinary surgeon; and

- (b) an assessment regarding the temperament of a large dog must be carried out by—
 - (i) a registered veterinary surgeon; or
 - (ii) a dog trainer recognized by the programme coordinator.”.

WONG Chi-kong
Director of Agriculture, Fisheries
and Conservation

11 November 2014

Explanatory Note

The TNR programme (*programme*) is a trial programme which aims at assessing the effectiveness of the trap-neuter-return mechanism in reducing the number of stray dogs within selected areas in Cheung Chau and Tai Tong (*trial zones*). The Society for the Prevention of Cruelty to Animals (Hong Kong) Trustees Incorporated and the Society for Abandoned Animals Limited (*programme coordinators*) will implement the programme.

2. Section 9(1) of the Dangerous Dogs Regulation (Cap. 167 sub. leg. D) (*Regulation*) provides that large dogs entering or remaining in a public place must be under control through a leash. Section 5 of this Notice adds a new Part 2 (new sections 3 and 4) to the Dangerous Dogs Regulation (Exemption) Notice (Cap. 167 sub. leg. F) to provide that section 9(1) of the Regulation does not apply to a person who causes, suffers or permits a large dog to be released under the programme (*exemption*).
3. The new section 3 provides for the definition of terms. The new section 4(1) provides for the exemption. The new section 4(2) provides that a large dog is released under the programme if certain conditions are met. Firstly, the dog must be released within a trial zone by a person carrying an identification card issued by a programme coordinator to show that the person is an employee or volunteer of the coordinator and has completed a training course organized by the coordinator. Secondly, the dog must be affixed with an identification mark by the coordinator on the basis that it has been assessed as being

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suitable for release within a trial zone, and has been neutered and vaccinated against certain dog diseases. The new section 4(3) and (4) sets out the supplementary requirements regarding training courses and the assessment of large dogs.