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Paper for the House Committee Meeting on 24 June 2016

**Report of the Subcommittee on Public Health (Animals and Birds)
(Animal Traders) (Amendment) Regulation 2016 and
Specification of Public Offices (Amendment) Notice 2016**

Purpose

This paper reports on the deliberations of the Subcommittee on Public Health (Animals and Birds) (Animal Traders) (Amendment) Regulation 2016 and Specification of Public Offices (Amendment) Notice 2016 ("the Subcommittee").

Background

2. Regulation 4(1)(a) of the Public Health (Animals and Birds) (Animal Traders) Regulations (Cap. 139B) ("the Regulations") provides that a person must not carry on business as an animal trader¹ unless with a licence (i.e. an Animal Trader Licence ("ATL")) granted by the Director of Agriculture, Fisheries and Conservation ("DAFC"). Under the Regulations, DAFC is empowered to attach to a licence such conditions as he may think fit. Licensed animal traders must comply strictly with the statutory requirements concerning housing facilities, primary enclosure, outdoor area, sanitation, provision of food and water, pest control, etc. for their animals as stipulated in the Regulations as well as any relevant conditions imposed by DAFC and attached to their licences. The Agriculture, Fisheries and Conservation Department ("AFCD") conducts inspections on licensed premises from time to time to ensure compliance with the relevant licensing requirements and any conditions attached to the licence. Any person carrying on business as an animal trader without a licence or contravening the statutory requirements or any condition specified in his licence

¹ According to Regulation 2 of Cap. 139B, an "animal trader" means a person who sells, or offers to sell, animals or birds, other than a person selling or offering to sell any animal or bird kept by him as a pet or any offspring thereof.

is liable on conviction to a fine². A person who sells his own pet (or the pet's offspring), however, is excluded from the definition of "animal trader". The person is not required to obtain an ATL.

3. According to the Legislative Council Brief (File ref.: FH CR 3/3231/07) issued by the Food and Health Bureau and AFCD in May 2016, the exclusion of pets and pets' offspring from the control of the licensing scheme has been exploited by some unscrupulous traders who operate under the guise of a private pet owner, thereby circumventing the relevant regulatory control and leading to public health and animal welfare concerns. Empirical data show that dogs, which comprise the largest share of the pet market, are by far the most vulnerable pet group prone to such a problem. Past investigation and conviction records also show that the welfare of dogs that are kept for breeding purposes has been compromised more frequently and to a greater extent than other types of animals. The Administration considers that there is a strong case to strengthen the regulation for trading of dogs, including putting the sale of one's own pet dogs and the breeding for sale of dogs under licensing control.

4. According to the Administration, a number of inadequacies have also been identified in the current regulatory regime. For instance, the penalty levels are considered too low to achieve sufficient deterrence effect. Besides, DAFC is not explicitly empowered to refuse to grant or renew a licence on grounds that the applicant has been convicted of an offence under the Prevention of Cruelty to Animals Ordinance (Cap. 169), or that the licensee has a record of repeated breaches of the licence conditions. For better protection of animal welfare, the Administration proposes to enhance the regulatory control.

Public Health (Animals and Birds) (Animal Traders) (Amendment) Regulation 2016 (L.N. 64 of 2016)

Specification of Public Offices (Amendment) Notice 2016 (L.N. 68 of 2016)

5. The Public Health (Animals and Birds) (Animal Traders) (Amendment) Regulation 2016 ("the Amendment Regulation") is made by the Chief Executive in Council ("CE in Council") under section 3 of the Public Health (Animals and Birds) Ordinance (Cap. 139) to amend the Regulations in order to strengthen the regulation of animal trading and dog breeding activities. Major amendments include:

- (a) revising the licensing scheme such that any person who sells, or

² Currently, the sale of animal or bird without a licence is an offence and the offender is liable on conviction to a fine of \$2,000; whereas the contravention of licence conditions may render the offender liable on conviction to a fine of \$1,000.

offers to sell, dogs must obtain an ATL or a one-off permit, whereas any person who keeps for breeding and sells, or offers to sell, a dog, must obtain a dog breeder licence, viz. a dog breeder licence (category A) ("DBLA")³ or a dog breeder licence (category B) ("DBLB")⁴;

- (b) revising the maximum penalty for any person who sells, or keeps for breeding and sells, a dog without a licence or a one-off permit to a fine at level 6 (i.e. \$100,000), and the maximum penalty for contravention of a condition attached to a licence or permit to a fine at level 5 (i.e. \$50,000);
- (c) stipulating that DAFC may refuse to grant or renew, or may cancel, a licence if he is not satisfied that the applicant or licensee is a suitable person to carry out the regulated activity. In considering whether an applicant or a licensee is a suitable person, DAFC may take into account all relevant factors;
- (d) empowering DAFC to exempt a person from the requirement to obtain an ATL if DAFC is satisfied that the person is conducting genuine rehoming activities for animal welfare purposes on a non-profit-making basis;
- (e) prohibiting the sale of dogs by a licensee or permit holder to a person under the age of 16, and the maximum penalty for contravention is a fine at level 5 (i.e. \$50,000); and
- (f) adding a new Schedule, which sets out the fees for the grant and renewal of an ATL and a dog breeder licence, and for the grant of a one-off permit.

6. The Amendment Regulation will come into operation on a day to be appointed by the Secretary for Food and Health by notice published in the Gazette.

7. The Specification of Public Offices (Amendment) Notice 2016 ("the Amendment Notice") is made by CE in Council under section 43 of the Interpretation and General Clauses Ordinance (Cap. 1) to amend the Schedule to

³ A DBLA is for any individual who keeps four or fewer female dogs for breeding purposes at one premises, and sells, or offers to sell, those breeding dams or their offspring.

⁴ A DBLB is for any person who keeps a number of female dogs for breeding purposes up to the limit provided for in the licence at one premises, and sells, or offers to sell, those breeding dams, their offspring or dogs from other approved sources.

the Specification of Public Offices Notice (Cap. 1C) to facilitate the day-to-day operation of the regulatory regime, such that in relation to the office of DAFC:

- (a) the reference to the title of Cap. 139B is updated to become the Public Health (Animals and Birds) (Trading and Breeding) Regulations, following the change of the title of Cap. 139B effected by the Amendment Regulation above; and
- (b) DAFC may delegate to other public officers the new powers conferred on him under the specified provisions of the amended Regulations.

8. The Amendment Notice will come into operation on the day on which the Amendment Regulation comes into operation.

The Subcommittee

9. At the House Committee meeting on 27 May 2016, Members agreed to form a subcommittee to study the two items of subsidiary legislation. The membership list of the Subcommittee is in **Appendix I**. Under the chairmanship of Hon Tommy CHEUNG, the Subcommittee has held three meetings, at one of which the Subcommittee has received views from 42 deputations and individuals. A list of the organizations and individuals which/who have given views to the Subcommittee is in **Appendix II**.

10. To allow more time for the Subcommittee to scrutinize the two items of subsidiary legislation, the Subcommittee Chairman has given notice to move a motion before the expiry of the scrutiny period of 28 days (i.e. by the Council meeting of 22 June 2016) to extend the scrutiny period of the Amendment Regulation and the Amendment Notice to the Council meeting of 13 July 2016. At the time of submission of this report to the House Committee, the motion has not yet been dealt with at the Council meeting commencing on 22 June 2016.

Deliberations of the Subcommittee

Adoption of a two-tier regulatory regime for dog breeding

11. Many members, including the Chairman, Hon MA Fung-kwok, Hon YIU Siu-wing and Dr Hon CHIANG Lai-wan, are supportive of implementing the enhanced regulatory regime to put dog breeding activities under licensing control. They hope that the Amendment Regulation can be put into operation as early as possible.

12. Some other members, including Hon Claudia MO and Hon CHAN Chi-chuen, however, take the view that the introduction of DBLA will encourage more people to breed dogs since the threshold for the granting of DBLA is lower than that of DBLB. These members have expressed grave concerns that unscrupulous commercial breeders may operate under the guise of hobby-breeders, and it is often difficult to regulate the operating conditions of the breeding premises of hobby-breeders, which in most cases are situated in residential buildings. The Amendment Regulation may produce an unintended effect of legalizing private breeding of dogs. These members strongly consider that pet trading should be prohibited in Hong Kong, and the Administration should work towards "zero trading" of animals while at the same time stepping up its efforts to further promote pet adoption. There is a suggestion that the Administration should consider tightening up the licensing requirements for DBLA to put them on par with those for DBLB so that all breeders will be subject to the same and more stringent licensing control.

13. The Administration has explained that a licensing regime will give an anchoring point for AFCD to carry out inspection, promotion and education work concerning dog breeding activities. From the Government's point of view, it is more appropriate to set up a two-tier licensing regime. As most of the small-scale breeders who are already in existence (sometimes referred to as "hobby-breeders" or "home-breeders") keep their dogs as pets and live with them in a household, consideration has to be given as to whether it is reasonable to require these breeders to construct kennels and other facilities meeting the same accommodation requirements for dogs as those for commercial breeders who breed a larger number of dogs. With a pragmatic threshold, small-scale breeders will not have any excuse not to apply for a licence. By introducing DBLA, the Administration is putting the breeding activities of hobby-breeders under regulation. If there is only one type of dog breeder licence applicable to all licensees, hobby-breeders may be discouraged from coming forward and it may even drive such breeding activities underground, increasing the level of difficulty in AFCD's regulatory work.

14. The Administration has further advised that the sale of one's own pet dogs and keeping for breeding and sale of dogs are excluded from the control of the existing licensing regime. The main object of the Amendment Regulation is to put such activity under regulation. While DBLA holders are subject to accommodation requirements different from those DBLB holders, they have to observe the majority of the licence conditions applicable to DBLB holders, including attending structured training and abiding by the respective Code of Practice ("CoP"). As stipulated as one of the conditions attached to the licence, premises licensed under a DBLA will also be subject to regular inspections by authorized officers of AFCD to ensure compliance. These apart, the total number of dogs that can be kept on any premises licensed under a DBLA will be subject to the space requirements on the premises concerned as set out in CoP.

Taken together, these measures will increase the compliance cost that is to be borne by prospective dog breeders. Hence, the Administration does not expect that the introduction of the two-tier licensing regime will lead to a significant expansion in hobby-breeding activities. Notwithstanding the Administration's explanation and assurance, Hon Claudia MO maintains the view that the Administration should impose more stringent licensing conditions to regulate the breeding and selling of dogs. She has indicated an intention to amend the Amendment Regulation to the effect that ATL, DBLA and DBLB licensed premises should have a minimum "gross floor area" of 2 000 square feet; or to repeal the two items of subsidiary legislation. On 15 June 2016, she has given two notices to move two proposed resolutions to that effect.

15. Members have enquired about the rationale for restricting the number of female dogs kept at any premises licensed under a DBLA for breeding purposes to four. As most hobby-breeders operate in residential buildings, there is concern about the suitability of allowing hobby-breeders to raise too many dogs at a premises. Members have suggested that the number of female dogs that can be kept by DBLA holders for breeding purposes should be reduced from "four or fewer" to "not more than two". The Administration has explained that the differentiation between DBLA and DBLB is primarily based on the number of female dogs kept for breeding purposes by the licensee. Having regard to the actual circumstances that commercial breeders currently in the market are keeping five or more female dogs for breeding purposes on average, the Administration decides to draw reference to the practice of other comparable jurisdictions and adopts the "not more than four female dogs" ceiling for DBLA. The proposed ceiling has been discussed with and broadly agreed by different parties during the public consultation and liaison sessions with the relevant stakeholders.

Regulatory control via the licence conditions

16. Members have sought detailed information on the licence conditions under the new licensing regime, such as the space and facility requirements for licensed premises, the responsibility on the part of licence holders, the training requirement on licensees and their staff, etc. According to the Administration, ATL, DBLA and DBLB will each be granted by DAFC alongside a set of conditions attached to the respective licences, specifying requirements for the licensed premises, the source of the dogs for sale, and procedures for the sale of dogs etc. All licensees will be subject to one common condition, i.e. they must comply with CoP of their respective licences. Pointing out that the Regulations currently do not provide for an offence and penalty in case of failure to comply with CoP, the Legal Adviser to the Subcommittee has enquired how this can be done. The Administration has explained that the relevant CoP serves to ensure that all personnel, who are involved in the licensed activities, are fully aware of their responsibilities in assuring the good welfare of dogs under their care and

management. In this regard, CoP sets out the required "duty of care" standards and other requirements, including those necessary for compliance with the statutory requirements under the relevant provisions in the Regulations, e.g. regulations 7, 9 and 10. As such, depending on the circumstances of a case, non-compliance with CoP may be a breach of these statutory requirements or licence condition, which pursuant to regulation 13(2)(a) or (b) is an offence which may render the offender liable on conviction to a fine at level 5 (i.e. \$50,000).

17. The Administration has also informed the Subcommittee that the primary objective of CoP is to ensure the good welfare of dogs under the care and management of the licence holders at the licensed premises by, among other things, placing a "duty of care" on the licensee. CoP is divided into different sections which provide details on subjects ranging from requirements for environment and facilities, to temperature, ventilation, lighting, training for the licensees and their staff (if any) and record keeping etc. Upon receipt of an application for a licence, AFCD will arrange inspection to the concerned premises before deciding on the grant of licence. During the validity period of a licence, licensed premises will be subject to frequent inspections by authorized officers of AFCD to ensure licensees' compliance with the statutory requirements and conditions attached to the licence.

DAFC's powers to grant and renew a licence

18. Members have sought clarification on whether DAFC will grant or renew a licence if the land leases and deeds of mutual covenant ("DMCs") in relation to the premises contain provisions forbidding the keeping of dogs/animals. According to the Administration, in general, it is the responsibility of the applicant to ensure compliance with all the requirements imposed under the relevant legal document relating to the premises concerned, including the relevant provisions in DMCs. Application and enforceability of the relevant requirements set out in DMCs are outside the ambit of AFCD's regulatory power for the related licensing regime as provided for under the Public Health (Animals and Birds) Ordinance. Nevertheless, if there is evidence to indicate that any breach of the relevant provisions in the relevant DMCs may affect the suitability of the premises concerned to be used for the regulated activity (breeding of dogs in this case) or its compliance with the relevant requirements, depending on the circumstances of the particular case, it may be one of the relevant factors for DAFC to take into account when considering whether to grant the licence.

19. The Legal Adviser to the Subcommittee has pointed out that under the amended regulation 5(4) as well as the new regulations 5B(5) and 5C(4), a licence is valid for a period of 12 months. As there is no provision relating to

the time within which a licensee is required to apply for renewal of a licence, it is possible that the renewal of a licence is applied for before the expiry of the licence but is only granted after the expiry of the licence. Clarification has been sought on what the Government's intention is in the circumstances, and whether an applicant licensee will be given an opportunity to be heard before a decision is made to refuse to renew his licence. The Administration has explained that, as with ATL currently in place, a licence is valid for a period of 12 months. The regulation has not specified the time by which the licensee has to make application for the renewal of a licence. This being the case, it is the responsibility of the licensee to make an application for renewal in good time. Upon receipt of the application, AFCD will process it without undue delay. In the event that the previous licence held by the licensee expires before the relevant licence is renewed, the licensee concerned has to cease the relevant activities; otherwise, the person may be liable to be prosecuted for carrying on the relevant activities without a licence. If DAFC intends not to renew a licence, in line with the established practice, DAFC will inform the licensee concerned of the intention and provide him with the reason(s) for that decision. The licensee concerned who is dissatisfied with the decision may appeal to CE in Council as provided for under section 11 of the Public Health (Animals and Birds) Ordinance.

20. The Chairman and Hon CHAN Chi-chuen have suggested that the licensing requirements for ATL, DBLA and DBLB, including the documents and information required to be submitted for assessment, should be laid down clearly in the relevant application forms, so as to facilitate applicants' completion of the application process. The Administration has advised that it will devise a set of guidance notes and document list to facilitate the submission of necessary information and documents by applicants.

DAFC's powers to cancel a licence

21. Under the new regulation 5G(2), DAFC must not cancel a licence without first giving the licensee an opportunity of being heard. The Chairman and Hon Paul TSE have suggested that the new regulation 5G(2) be amended to the effect that the licensee should provide their representations "within a reasonable period of time". They are of the view that the suggested amendment can help forestall attempts on the part of the less than cooperative licensees who may seek to frustrate early cancellation of licence by delaying tactics.

22. The Administration has advised that in accordance with regulation 5G(2), DAFC is required to invite the licensee to make representations and to consider the representations so received from the licensee before making a decision on whether to cancel the licence. This is a matter of procedural fairness as underpinned by the statutory requirement set out in the new regulation 5G(2). Pursuant to the rules of natural justice, the affected licensee needs to know the

case against him and this requires informing him of DAFC's reasons/grounds for the proposed cancellation decision. Further, a reasonable time should be given to the licensee by DAFC to enable the licensee to make representations on the matter before a decision is made. Although the new regulation 5G(2) does not prescribe a time limit for the licensee to take the opportunity to be heard, the condition that it must be exercised without unreasonable delay by the licensee is provided for under section 70 of the Interpretation and General Clauses Ordinance⁵. As such, failure by the licensee to take the opportunity to be heard within a reasonable time allows DAFC to cancel the licence under regulation 5G(2). The Administration has elaborated that DAFC is only required to give an opportunity to the affected licensee to make representation before cancellation of the latter's licence. Provided that it is not unreasonable, having regard to the particular circumstances of a case, for DAFC to ask the affected licensee to make representation(s) within the period of time specified (which must be a reasonable time) in the relevant notice of intended cancellation, DAFC may proceed with making a decision on available information if no representation is received from the licensee following expiry of the specified period. The Administration is of the view that the current drafting of regulation 5G(2) has therefore aptly reflected the policy intention and addressed members' concern on the matter.

23. On the enquiry as to whether an appeal mechanism is in place for appellants to lodge complaints against the decisions of DAFC not to grant or renew, or cancel a licence, the Administration has advised that under section 11 of the Public Health (Animals and Birds) Ordinance, any person who is dissatisfied with the decision of DAFC may appeal to CE in Council. The grounds of such appeal shall be concisely stated in writing, and the appellant may, if he so desires, be present at the hearing of such appeal and be heard in its support either by himself or by his representative, and CE in Council shall thereafter determine the matter in the absence of, and without further reference to, DAFC. The Legal Adviser to the Subcommittee has pointed out that such appeal mechanism was established many years ago. Responding to her enquiries on whether such appeal mechanism is still viable and whether review will be conducted, the Administration has advised that the appeal mechanism has been in place for many years and has been functioning well. The Administration has no plan at this stage to review the mechanism. Notwithstanding the Administration's advice above, some members, including the Chairman and Hon Alvin YEUNG, suggest the Administration consider reviewing the appeal mechanism, making reference to the appeal mechanism under the liquor licensing regime.

5 Section 70 of the Interpretation and General Clauses Ordinance provides that "Where no time is prescribed or allowed within which any thing shall be done, such thing shall be done without unreasonable delay, and as often as due occasion arises."

DAFC's discretion to exempt certain persons from holding an ATL

24. Members have asked about the Administration's criteria for determining whether an individual or an animal welfare organization ("AWOs") conducting animal rehoming activities can be qualified for the exemption from holding an ATL. The Administration has advised that under the Amendment Regulation, DAFC is empowered to exempt a person (including individuals and AWOs) from the requirement to obtain an ATL if DAFC is satisfied that the person is conducting genuine rehoming activities for animal welfare purposes on a non-profit-making basis. In deciding on the exemption, DAFC may take into account all relevant factors, including whether (a) the person is a registered society, registered company, or registered trustees incorporated; (b) the organization is a charitable institution or trust of a public character that is exempt from tax under section 88 of the Inland Revenue Ordinance (Cap. 112); (c) the protection and promotion of animal welfare and rehoming are among the core activities and services of the organization; and (d) the person engages the services of a registered veterinary surgeon to act as an advisor on animal health and welfare.

25. The Administration has also informed the Subcommittee that to enhance transparency, it plans to make available, on AFCD's website, information regarding all licensees and persons/AWOs to whom/which exemption from holding an ATL is granted. Hon Claudia MO has expressed concern as to what kind of information would be released for public consumption and whether the extent of disclosure of information for body corporates and non-profit-making AWOs would be the same for individuals. She opines that the Administration should carefully consider the extent of information to be uploaded onto AFCD's website, in particular information in relation to individuals, which may arouse personal privacy concern. In view of members' concern about the protection of personal data, the Administration will seek legal advice and consult the Office of the Privacy Commissioner on how to ensure compliance with the relevant legal requirements.

The one-off permit

26. An enquiry has been raised about the rationale of the Administration's decision to grant a maximum of two one-off permits to an individual within any four-year period. Expressing concern about the safeguards against abuse, some members are of the view that the introduction of one-off permit is tantamount to the Government endorsing pet trading by private pet owners. According to the Administration, there is a concern that a complete ban on trading of dogs by private pet owners would be inconsistent with the provisions of the Basic Law which protect private property rights. Any restriction on private property rights must satisfy the proportionality test assuming that such a test applies. Under

the Amendment Regulation, it is proposed that DAFC may only grant a maximum of two one-off permits to a particular individual within any four-year period. In coming up with this proposal, consideration has been given to the duration of tenancy agreements for renting private premises in normal circumstances (i.e. a period of two years for each tenancy).

27. The Legal Adviser to the Subcommittee has sought clarification about the scope of the new regulation 5H(2) of the Amendment Regulation and whether sale of dogs by an individual (e.g. baby dogs of his pet dog) who is not required to apply for licence under section 20 of the Rabies Regulation (Cap. 421A) would commit an offence under the new regulation 5H(2) if that person applies for a permit to sell a dog but his application is refused under the new regulation 5H(7). According to the Administration, the new regulation 5H(2), as read in conjunction with regulation 5H(1), prohibits the sale of dogs without a one-off permit by persons who are not licensees. The scope of regulation 5H(2), in effect, covers any dog that is kept by any person other than a licensee whose licence covers that dog. Pursuant to regulation 5H(7), only an individual who is the licensed keeper under the Rabies Regulation in respect of a dog will be eligible to apply for a one-off permit to sell that dog. The person must have kept the dog as the licensed keeper for a minimum of four consecutive months immediately before the date of application. The permit, if granted, is specific to the dog concerned and is used once the sale of that dog is concluded. In other words, the scope of regulation 5H(7) only covers those dogs that are kept by persons who have been granted a licence under section 19A(1) of the Rabies Regulation. If an individual (other than a licensee) keeps a dog of which the individual is not the licensed keeper, and if the individual intends to sell that dog, he would have to apply under the Rabies Regulation to be the licensed keeper of that dog and continue to keep that dog as the licensed keeper for four consecutive months before he is eligible to apply for a one-off permit to sell that dog. If the individual sells the dog before he is granted a one-off permit under regulation 5H(7), the individual commits an offence under regulation 5H(2) and is liable to prosecution.

AFCD's manpower resources and its enforcement strategy

28. Some members, including Hon MA Fung-kwok and Hon Paul TSE, have expressed concerns about the possible pressure on the manpower resources of AFCD and the practical difficulties in AFCD's regulatory work. Query has been raised as to whether AFCD, with its current manpower resources, can sustain the effective implementation of the enhanced regulatory regime. According to the Administration, when the new regulatory regime is in full swing, it is estimated that there will be around 500 to 1 000 DBLAs, 25 DBLBs and 500 one-off permits in the market. To cope with the anticipated increase in workload, through the additional provision of seven permanent civil service posts and redeployment of staff currently engaged in duties related to the

Regulations, AFCD anticipates that there will be some 30 officers deployed to discharge duties in relation to the licensing of animal trading activities and enhancing the relevant control measures after commencement of the Amendment Regulation. AFCD will devise an appropriate enforcement strategy to optimize the utilization of its resources. It will also closely monitor the workload and manpower situation after the enactment of the Amendment Regulation and review the resource requirement from time to time.

29. Expressing concern over the practical difficulties involved in enforcing the new regulation 4B which prohibits the sale of dogs to persons under the age of 16, members have enquired about AFCD's enforcement strategy in this respect. There are suggestions that the Administration should consider conducting covert operations and requiring licensed animal traders/dog breeders to post a notice at a conspicuous place of their premises in respect of which a licence was granted to remind patrons that the minimum age of a person to whom a licence holder can sell dogs is 16. According to the Administration, the proposal to prohibit an ATL, DBLA, DBLB or one-off permit holder from selling a dog to any person under the age of 16 years has been suggested by various parties during the public consultation exercise and is supported by animal traders. Taking into account members' suggestions, AFCD will require all licensees to post a notice at their licensed premises as one of the conditions attached to the licence, reminding patrons that the sale of dogs to any persons under the age of 16 is not permitted under the law.

Advice sought

30. Members are invited to note the deliberations of the Subcommittee.

**Subcommittee on Public Health (Animals and Birds)
(Animal Traders) (Amendment) Regulation 2016
and Specification of Public Offices (Amendment) Notice 2016**

Membership List

Chairman	Hon Tommy CHEUNG Yu-yan, GBS, JP
Deputy Chairman	Hon Steven HO Chun-yin, BBS
Members	Hon Cyd HO Sau-lan, JP Hon CHAN Hak-kan, JP Hon Paul TSE Wai-chun, JP Hon Alan LEONG Kah-kit, SC Hon Claudia MO Hon NG Leung-sing, SBS, JP Hon YIU Si-wing, BBS Hon Gary FAN Kwok-wai Hon MA Fung-kwok, SBS, JP Hon CHAN Chi-chuen Hon CHAN Han-pan, JP Dr Hon Helena WONG Pik-wan Dr Hon Elizabeth QUAT, JP Dr Hon CHIANG Lai-wan, JP Hon Christopher CHUNG Shu-kun, BBS, MH, JP Hon Tony TSE Wai-chuen, BBS Hon Alvin YEUNG Ngok-kiu (Total : 19 members)
Clerk	Miss Josephine SO
Legal Adviser	Miss Winnie LO

Appendix II

Subcommittee on Public Health (Animals and Birds) (Animal Traders) (Amendment) Regulation 2016 and Specification of Public Offices (Amendment) Notice 2016

List of organizations/individuals which/who have given views to the Subcommittee

1. On Turtle Eagle Workshop
2. Animals Asia Foundation Limited
3. Passion Times
4. Civic Passion
5. Feline Passion
6. Society for Abandoned Animals Limited
7. Mr CHAN Kwok-keung, Sha Tin District Council Member
8. Youngspiration
9. Hong Kong Scottish Fold Sickness Concern Group
10. Labour Party
11. Cheung Chau Animal Care
12. Hong Kong Rescue Puppies
13. STOP! Save HK's Cats and Dogs
14. Ms Amanda Sarah Whitfort, Associate Professor, Department of Professional Legal Education, Faculty of Law, The University of Hong Kong
15. Mr YUNG Ming-chau, Sha Tin District Council Member
16. The Society for the Prevention of Cruelty to Animals (Hong Kong)
17. Land Justice League
18. Happy 99

19. Civic Party Animal Rights Concern Group
20. 動物公民
21. Dolphin Family
22. Treasure Life, Be Kind To Animals Association
23. Animal Earth
24. Animal Life Guard Action Group
25. Non-Profit Making Veterinary Services Society Limited
26. Hong Kong Wild Boar Concern Group
27. 動物北斗
28. Give Dogs a Home
29. Guardian
30. 18 Districts Animal Protection Commissioners
31. The Democratic Party
32. ITV Media 動物頻道 - 動人之間
33. ITV Media 動物頻道 - 動物·緣
34. Animal Behaviour Veterinary Practice
35. Animal Power
36. Animal Friends
37. The Hong Kong Veterinary Association
38. The Localists' Regiment of Animals Protection
39. Mr LEE Yik-yeung
40. Miss YUEN Chi-yan
41. Protection of Animals Lantau South
42. Mr Clarence Ronald LEUNG Kam-shing
- *43. Mongrel Club
- *44. China Hong Kong Veterinary Association

- *45. Dr Howard WONG, Director, Centre for Animal Welfare, School of Veterinary Medicine, City University of Hong Kong
- *46. Dr Kenneth LAM
- *47. Miss Heliana LEE Hiu-lam

* Organizations which have submitted written views only.