

LegCo Panel on Food Safety and Environmental Hygiene
Subcommittee on Issues Relating to Animal Welfare
and Cruelty to Animals

**Follow-up to Meeting held on 16 February 2016 –
Supplementary Response**

In response to the issues raised by Members at the meeting of the Subcommittee on 16 February 2016, the Government set out, in LC Paper No. CB(2)1138/15-16(02), the supplementary information requested. In respect of the information sought by Members about the overseas practices in handling road accidents involving knocking down or killing of cats and/or dogs, we indicated that we were studying the matter and would provide a response in due course. This note sets out our findings on this subject and our current thinking about the way forward.

2. At present, section 56 of the Road Traffic Ordinance (Cap. 374) provides that a driver of a vehicle shall stop the vehicle where an accident involving that vehicle occurs whereby damage is caused to, amongst others, an animal. The driver is required to give his particulars if required by a police officer or any person having reasonable grounds for so requiring. Otherwise, the driver has to report the accident to the nearest police station as soon as practicable, and in any case no later than 24 hours after the accident. For the purpose of this provision, “animal” is defined to mean any horse, cattle, ass, mule, sheep, pig or goat.

3. Members asked us to conduct research into the practices in other places and consider whether the above provision should be amended to include cats and dogs in the definition. We have conducted research into the practices and related legislation in three selected places with a high degree of urban development as in the case of Hong Kong. They are Singapore, the United Kingdom (UK) and New York State of the United States. Based on information available on the internet, our findings are summarised below:-

Place	Legislation	Scope of coverage	Reporting requirement in case of accident
Singapore	Road Traffic Act (Chapter 276)	horse, cattle, ass, mule, sheep, pig, goat or dog	The driver must stop the vehicle. He has to give his particulars as required by a police officer or any person having reasonable grounds for so requiring, or take reasonable steps to inform the owner of the animal. Otherwise, he has to report the incident to the police within 24 hours.
UK	Road Traffic Act 1988	horse, cattle, ass, mule, sheep, pig, goat or dog	The driver must stop the vehicle. He has to give his particulars as required by a police officer or any person having reasonable grounds for so requiring. Otherwise, he has to report the incident to the police within 24 hours.
New York, US	New York Vehicle and Traffic Law, Article 22	horse, dog, cat or animal classified as cattle	The driver shall stop the vehicle and endeavour to locate the owner of the animal or the police.

4. The relevant legislative provisions in Singapore and the UK are similar to the present section 56 of Cap. 374 in Hong Kong, except that their scope covers dog as well. The relevant legislation in New York, on the other hand, covers both dog and cat, among others.

5. In recent years, we have from time to time seen reports from the press and on the social media regarding incidents where dogs and cats are knocked down by vehicles, causing injuries to the animals or even deaths. In those cases where the vehicle driver had left without causing the animals to receive attention, this has given rise to public concerns from the animal welfare angle. Taking into account the occurrence of such incidents, the public sentiment that has been expressed, and the practices adopted in other places, the Government is prepared to review our legislation, with a view to bringing dogs and cats within the scope of section 56 in Cap. 374.

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