



Society for the Prevention
of Cruelty to Animals (HK)
香港愛護動物協會
5 Wan Shing Street
Wanchai, Hong Kong
香港灣仔連盛街五號
Tel/電話：(852) 2802 0501
Fax/傳真：(852) 2802 7229
<http://www.spca.org.hk>

Mrs. Regina Leung
梁唐青儀女士
Patron / 贊助人

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Dr Hon CHIANG Lai-wan, JP
Chair
Subcommittee to Study Issues Relating to Animal Rights
Legislative Council
Hong Kong

Dear Dr Chiang,

“Issues relating to the promotion of animal-friendly measures (including public rental housing, public transport and public open space)”

The SPCA HK is grateful for the opportunity to contribute to the discussion on the promotion of animal-friendly measures in Hong Kong.

The SPCA HK has long advocated for the better treatment of animals and for better consideration of the needs of companion animals and their owners.

Making Hong Kong as “animal-friendly” as possible through infrastructure and policy development is key to promoting animal and human welfare, as well as essential to reducing animal suffering.

For over a hundred years, the SPCA HK has handled, cared for and re-homed companion animals. We have a deep understanding of the many challenges faced by owners and companion animals living in Hong Kong. We also see firsthand how other animals in Hong Kong suffer due to a variety of factors, including due to the lack of, or inadequate government planning and / or policies.



In our past submissions to this committee¹²³ and the Subcommittee on Issues Relating to Animals Welfare and Cruelty to Animals (Legislative Council 2012 – 2016)⁴, we have made many recommendations that address animal welfare concerns to assist in developing a more “animal-friendly” Hong Kong.

These recommendations are still valid; many still await government attention and action.

This submission takes a broad view on how to help improve or safeguard the welfare of animals through a top level commitment and cohesive, cross bureau / department collaborations.

We also highlight some examples of areas that need addressing and also make some suggestions that could effect improvement.

1. An “Animal Friendly” Administration

There needs to be a truly “animal friendly” policy position that is adopted and adhered to across all bureaus and departments in the Government.

- a) There should be better Bureau and Department collaboration on issues that impact on the welfare of animals.**
- b) Animal welfare specialists, animal welfare scientists and technical experts should advise the administration at a higher government level on animal welfare issues.**
- c) Animal welfare should be specifically and separately represented on panels that oversee specific animal use or animal related issues.**
- d) There should be increased stakeholder engagement on animal and animal welfare related issues.**
- e) Increased resources should be committed to assist with practical implementation of policies, legislation and programmes.**
- f) Animal welfare (and the needs of owners and animals) must be considered in the development of Hong Kong’s Planning Vision and Strategy Transcending 2030.**

¹ http://www.legco.gov.hk/yr16-17/english/panels/fseh/fseh_ar/papers/fseh_ar20170221cb2-813-6-e.pdf

² http://www.legco.gov.hk/yr16-17/english/panels/fseh/fseh_ar/papers/fseh_ar20170424cb2-1276-1-e.pdf

³ http://www.legco.gov.hk/yr16-17/english/panels/fseh/fseh_ar/papers/fseh_ar20170516cb2-1429-1-e.pdf

⁴ http://www.legco.gov.hk/yr15-16/english/panels/fseh/fseh_awca/papers/fseh_awca20160322cb2-1112-13-e.pdf



The SPCA submitted comments to the Planning Department in 2016 as part of the consultation on Hong Kong's planning vision and strategy (Annex A) on how animals and welfare needs to be included and considered.

The submission also highlighted some specific elements that if addressed could help to improve "animal friendliness".

g) Sufficient land should be provided to support conservation, bio-diversity and animal welfare activities (including dedicated facilities) to meet the needs of both NGOs and Government working in these fields.

h) Animal welfare must be included as one of Hong Kong's sustainable development criteria.

In response to the Council for Sustainability's public consultation the SPCA submitted its opinions in relation to sustainability and some different aspects of animal use and animal welfare (Annex B).

2. Legislation

Much animal and animal welfare legislation needs revision and improvement. The SPCA continues to call for a comprehensive review of all animal legislation, and for priorities and a timeline to be set.

a) A new, overarching piece of animal welfare legislation such as an Animal Welfare Ordinance that protects all animals and introduces a positive duty of care on the caretakers and people in charge of animals needs to be developed.

b) Shortcomings and inconsistencies in legislation must be addressed, in particular:

- i. A review of CAP. 169 The Prevention of Cruelty to Animals Ordinance and the development of specific animal welfare legislation should be a priority.
- ii. More species of animals should be protected under CAP 139 Public Health (Animals and Birds) Ordinance and more uses of animals should be regulated under this ordinance.
- iii. There should be tighter overall control and regulation of the pet trade in terms of selling and breeding under CAP. 139B. An increased number of species of animals should be protected and more uses properly controlled and regulated. Cat breeding and selling regulations should be increased / improved in a similar manner to that introduced for dogs.



- iv. Codes of Practice which are mandatory and give guidance on standards of care and specific requirements for different species of animals being kept in different situations (or used for different purposes) should be introduced to supplement primary legislation such as a new Animal Welfare Ordinance or regulations such as those issued under CAP 139.
- v. The exotic pet trade and species traded should be reviewed from the perspectives of animal welfare, conservation and public health. Policy positions should be taken on which species are suitable for keeping as pets in Hong Kong i.e. can be safely (in terms of animal welfare and veterinary public health) and sustainably kept.

c) Powers to readily update laws relating to animal protection in a timely manner.

3. A Companion Animal Friendly Hong Kong

The needs of people who own pets should be considered in all aspects of town planning, infrastructure development and management.

- a) In general housing should be designed to be pet owner and pet friendly.**
- b) The Housing Authority's policy and the rules on pet keeping (including dogs) should be reviewed and adjusted to reflect a more positive approach to pet ownership - providing a framework for a fair and enlightened policy that permits public housing tenants to have the option of keeping a dog.**
- c) Other subsidised housing with similar restrictive approaches to pet ownership, such as subsidised flats and Housing Association accommodation, should also change policy and rules on pet keeping.**
- d) The policy approach to pet owner and pet access to public open space should be more permissive and inclusive. An approach should be adopted such that that in principle all such parks should allow owners to enter with their dogs on a leash. Off leash areas may be provided.**
- e) Walkability and pedestrian connectivity is to be encouraged; pet owners should also be able to freely access all pedestrian routes.**
- f) The Food Business Regulations CAP 132X should be reviewed and amended such there is no longer a "carte blanche" ban on bringing pet dogs into food premises. Rules and regulations would still need to be in place but the approach should be more flexible and be based on the assessment of individual premises.**



- g) It should be possible for some types / sizes of animal to be transported in some manner (for instance on a leash, in a carrier, carried or on their owners lap) on different forms of public transport (Public buses, MTR, Light Rail, Trams, Star Ferry etc.)**
- h) The Government should continue to invest resources in education and training on understanding animals, animal welfare, animal care and responsible pet ownership.**
- i) Mandatory spay / neuter laws should be introduced as well as a differential licensing fee system to incentivise owners to neuter *and* license their pets.**
- j) Deficiencies in the Traffic Ordinance should be addressed.**
- k) Policies and procedures relating to carcass collection and disposal should be changed.**
- l) The traceability of all owned animals should be improved and there should be better regulation and enforcement of abandonment and related issues.**
- m) Shelter legislation should be enacted under CAP. 139 that requires animal shelter and related facilities and programmes to be regulated to safeguard the welfare of hundreds of resident animals. They should be licenced, inspected, staff training implemented, minimum standards set and mandatory codes of practice developed.**
- n) A policy decision should be made to adopt Trap, Neuter and Return (TNR) methodology as an officially sanctioned methodology for dogs and cat population management so that it can be used more broadly to more humanely assist with their management in Hong Kong.**

4. Food Animals

Hong Kong has a relatively high level of meat and fish consumption with the overwhelming majority coming from intensive factory farming. In 2016, Hong Kong ranks in the world's top 10 importers of beef, chicken and pork.

- a) Hong Kong should include animal welfare as part of its sustainability criteria.**
- b) There should be a mandatory labeling scheme introduced into Hong Kong that lists the country of origin, type of farming systems used and method of slaughter so consumers can make informed choices.**
- c) There should be better regulation and legislation and oversight to protect food animals during transport.**



- d) Only Hong Kong reared food animals should be slaughtered in Hong Kong and be part of the “warm” meat supply (if this practice continues). It should be noted that the “warm” meat trade as currently practiced in Hong Kong is problematic in terms of public health and hygiene and food safety.**
- e) Slaughter in Hong Kong should be better regulated – more specific legislation should be drafted. Training and licensing of slaughterhouse personnel should be introduced alongside mandatory codes of practice. There should be independent monitoring of animal welfare during transport and in the slaughter houses.**
- f) Keeping live food animals of all species in wet markets, specialist shops, supermarkets and restaurants for later slaughter should be abolished. In the interim minimum standards and codes of practice should be introduced to try to safeguard the welfare of the different live animals kept in these places.**
- g) The relevant sections of CAP. 139B should be amended and expanded to include mandatory standards and minimum conditions and mandatory Codes of Practice to safeguard the welfare of farmed animals.**
- h) The definition of animals under CAP. 139 should be expanded to include farmed species or the keeping of food animals that are currently not included (fish, amphibians and others) and new sections introduced to cover their keeping and trade etc. Assessment of welfare should be part of the routine farm inspections carried out by AFCD.**
- i) Specific legislation should be enacted under CAP. 139 that requires commercial facilities and other facilities open to the public that keep domesticated farm animals (or other types of animals) for any purpose on site to be regulated to safeguard resident animals and ensure their good welfare.**

5. Wild Animals

Hong Kong is home to many wild animals which may be threatened or impacted due to development or human behaviour. In addition a large numbers of wild animals and their derivative products continue to enter legal and clandestine markets, continued existence of many species in the wild is threatened. Hong Kong plays a significant role as a trade hub.

- a) Wild animal habitats should be protected and not be fragmented**
- b) Infrastructure development should consider animals. For instance, barriers to natural wild animal movements should be avoided. Fencing and drainage**



- channels etc. that could be hazardous for animals should be designed to minimise risks to animals
- c) Hong Kong should follow the recommendations made by the Hong Kong Wildlife Trade Working Group in its submission under the 2017 CE policy consultation exercise.
 - d) The legal ivory trade in Hong Kong should stop sooner than currently proposed. No compensation should be paid to ivory traders.
 - e) The Government should provide increased resources for AFCD to more effectively tackle illegal trapping. Furthermore, AFCD's current permissive policy on the possession of animal traps in certain areas and for certain uses should be reviewed.
 - f) Education and awareness programmes about human-wildlife conflict should be developed to improve the public's understanding of the issues and to change the behaviours that escalate conflict.
 - g) The public should be educated on the potential negative impact on the welfare of animals that can result from feeding wild animals (or those that are living in a wild state) and discouraged from carrying out such actions.
 - h) The government should adopt a policy position of non-lethal control methods when working with wild (and other) animal populations.
 - i) The conservation and animal management arms of AFCD should develop a risk assessment framework to support policy decisions on which "exotic" and endangered species may be "safely" imported. Legislation should be introduced to regulate the release of any animal to the wild. So-called "Mercy Release" should be banned.

Conclusion

The Society for the Prevention and Cruelty to Animals (Hong Kong) believes that there are many areas that can be improved upon with regards to promoting and developing a more animal-friendly approach in Hong Kong. We would be delighted to assist further on this matter as well as helping to further improve animal welfare.

Should you have any enquiries in relation to this submission please do not hesitate to contact us on [REDACTED] or by email c/o: [REDACTED].

Yours sincerely,

Dr Fiona Woodhouse
(electronically)
BA. Hons. Vet MB. MVPHMgt
Deputy Director (Welfare)
Society for the Prevention of Cruelty to Animals (HK)