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**Panel on Food Safety and Environmental Hygiene**

**Proposal on the continuation of work of the Subcommittee to Study  
Issues Relating to Animal Rights**

**Purpose**

This paper reports on the progress of work of the Subcommittee to Study Issues Relating to Animal Rights ("the Subcommittee") and seeks members' endorsement of the Subcommittee's proposal to extend the period of its work for 12 months.

**Background**

2. The Subcommittee was appointed by the Panel on Food Safety and Environmental Hygiene in November 2016 to study and follow up on policies and measures relating to animal rights. In accordance with the arrangement for activation of subcommittees on policy issues agreed by the House Committee ("HC") at its meeting on 28 October 2016 and the results of the lots drawn on 16 November 2016<sup>1</sup>, the Subcommittee could commence its work immediately.

3. According to its work plan, the Subcommittee will focus its work mainly on the following areas:

- (a) the Administration's policies on handling and combating animal cruelty cases;
- (b) concrete details and timetable for establishing animal police teams;

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<sup>1</sup> As agreed by Members at the HC meeting on 28 October 2016, if the number of the policy subcommittees appointed by HC/Panels as at noon of 14 November 2016 exceeded the remaining three vacant slots, lots would be drawn before the HC meeting on 18 November 2016 to determine the order of activation among the subcommittees on policy issues appointed by HC/Panels as at noon of 14 November 2016 pending activation. Lots were drawn by the Chairman and the Deputy Chairman of HC on 16 November 2016.

- (c) measures to promote among members of the public animal adoption;
- (d) reviewing the Administration's efforts in handling community animals;
- (e) examining animal rights-related traffic ordinances and other relevant legislation;
- (f) examining relevant measures currently in place that regulate the safety of pet food; and
- (g) other subject matter relating to animal rights.

### **Work of the Subcommittee**

4. The Subcommittee has held seven meetings since 16 December 2016 and received views from deputations at two of these meetings. Major issues studied by the Subcommittee include the following:

- (a) policy and measures on handling and combating animal cruelty cases;
- (b) review of the definition of cruelty to animals, and the relevant penalty under the Prevention of Cruelty to Animals Ordinance (Cap. 169) ("PCAO");
- (c) implementation of the Public Health (Animals and Birds) (Trading and Breeding) Regulations (Cap. 139B) ("the Regulations");
- (d) handling of illegal sale of dogs on the Internet;
- (e) observation of dogs and cats on public health grounds;
- (f) promotion of responsible pet ownership;
- (g) promotion of animal-friendly measures (including public rental housing, public transport and public open space);
- (h) the safety of pet food products in Hong Kong;
- (i) management of stray animals; and

- (j) management of stray cattle.

### **Need for continuation of work**

5. During the deliberations of the Subcommittee, members of the Subcommittee have expressed various concerns about the issues mentioned in paragraph 4 above, in particular, in relation to handling and combating animal cruelty cases, PCAO, the Regulations, promotion of animal-friendly measures and management of stray animals. At the Subcommittee meeting held on 31 October 2017, some members of the Subcommittee suggested discussing the proposed introduction of a concept of positive duty of care on animal keepers which was a new initiative in the Chief Executive's 2017 Policy Address and, if appropriate, protection of farmed animals against cruelty. These Subcommittee members also considered it desirable for the Subcommittee to continue to be tasked with the responsibility to study the issues relating to animal rights and welfare. Issues which have to be followed up or need to be further examined by the Subcommittee are as follows:

- (a) way forward for the "Trap-Neuter-Return" programme for stray dogs upon completion of the trial programme in 2018;
- (b) implementation of the Regulations which will be subject to review in about two years after its commencement on 20 March 2017;
- (c) review of the current legislations on safeguarding animal rights and enactment of a comprehensive and consolidated legislation on animal protection;
- (d) policy and measures to handle and combat animal cruelty cases including establishing specialized teams of "animal police" throughout Hong Kong; and
- (e) management of stray animals including the effectiveness of the "Capture-Sterilization-Relocation" programme for stray cattle; and
- (f) publicity and public education for promoting animal welfare.

6. Members of the Subcommittee understand that the Subcommittee should cease its work upon completion of the 12-month period which will end on 15 December 2017, but envisage that the Subcommittee should

need to continue its work for another 12 months to wrap up the Subcommittee's study and deliberation of its observations and recommendations, having regard to the outstanding issues which need to be followed up or further examined by the Subcommittee set out in paragraph 5 above.

7. Rule 26(c) of the House Rules provides that if a subcommittee appointed by Panel(s) considers it necessary to work beyond 12 months of its commencement, it should, after obtaining the endorsement of the relevant Panel(s), report to HC and give justifications for an extension of the 12-month period. At its meeting on 7 July 2017, HC considered the proposed arrangements for extension of period of work of subcommittees on policy issues in the Sixth Legislative Council. HC agreed, inter alia, that apart from the five subcommittees<sup>2</sup> which have been given permission by HC for their continuation of work and one subcommittee<sup>3</sup> which will be given such permission if it proposes to do so, a subcommittee on policy issues currently in operation (e.g. the Subcommittee) will vacate its slot upon completion of its 12-month period of work for activation of a subcommittee on the waiting list. If a subcommittee considers it necessary for it to work beyond the 12-month period, upon obtaining HC's endorsement, it will be put on the waiting list for re-activation when a vacant slot is available.

### **Advice sought**

8. Members are invited to note the progress of work of the Subcommittee and endorse the Subcommittee's proposal to extend its work period for 12 months. Subject to members' views, the proposal will be submitted to HC for consideration.

Council Business Division 2  
Legislative Council Secretariat  
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<sup>2</sup>The five subcommittees are: (a) Subcommittee on Matters Relating to Railways, (b) Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project, (c) Subcommittee on Retirement Protection, (d) Subcommittee on Children's Rights, and (e) Subcommittee on Rights of Ethnic Minorities.

<sup>3</sup> The Subcommittee is Subcommittee to Follow Up Issues Relating to the Three-runway System at the Hong Kong International Airport. This Subcommittee, however, has subsequently decided not to continue its work beyond 12 months.