

LegCo Panel on Food Safety and Environmental Hygiene

**Government's responses to the motions passed
at the meeting on 8 May 2018**

Having consulted the Environment Bureau, our responses to the three motions passed under the agenda Item IV “Outcome of the ‘Trap-Neuter-Return’ Trial Programme for Stray Dogs” (Appendix I) and one motion under the agenda item V “Proposed Amendments to the Road Traffic Ordinance (Cap. 374)” (Appendix II) at the captioned meeting are set out below –

Agenda Item IV: “Outcome of the ‘Trap-Neuter-Return’ Trial Programme for Stray Dogs”

2. The Agriculture, Fisheries and Conservation Department (AFCD) has been adopting a multi-pronged approach towards the management of stray animals, including promoting through public education the concept of giving due consideration to the long-term commitment in pet-keeping; disseminating messages of responsible pet ownership and proper caring for animals; neutering animals being re-homed; promoting animal re-homing; and locating and catching stray animals in order to transfer them to animal welfare organisations (AWOs) as far as possible for adoption by members of the public¹, etc. With the implementation of the above-mentioned measures and the close collaboration between AFCD and AWOs, the number of stray cats and dogs caught by AFCD has decreased by around 70% over the past five years. Over the same period of time, the animal adoption rate has been gradually rising from 10.8% in 2013 to 15.6% in 2017. We will continue to step up our efforts in promoting animal adoption.

3. At present, the trial sites of the ‘Trap-Neuter-Return’ Trial Programme for Stray Dogs (the programme) were proposed by AWOs, and could be conducted only with the support of the community. During the District Councils’ (DCs) previous discussion on implementing the programme, some DC members reflected the views of residents and did not support the implementation of the programme in their districts. Over the past three years, AFCD assisted two AWOs in conducting the trial programme at two trial sites with the consent of the local community in order to understand the effectiveness of the programme in reducing the number of stray dogs and that of the related complaints. Before conducting

¹ Only animals that are assessed as not suitable for adoption due to health or temperament or could not be rehomed will be euthanised by AFCD.

the trial programme, AFCD, together with the two AWOs concerned, formulated the related procedures, the mode of operation, the implementation details, complaint handling, record keeping, and monitoring and assessment details (including the performance indicators). AFCD commissioned an independent consultant to conduct surveys and analysis, comparing the performance of the trial programme with that of the designated targets. The findings showed that the programme failed to achieve the designated performance targets.

4. Nevertheless, AFCD is open-minded and will assist AWOs that are interested in conducting the programme with a view to refining the implementation details and carrying out this type of programme in other specific locations. AFCD will share with the proponents the experience of implementing the trial programme over the past three years, and will proactively assist them in liaising with and introducing the programme to the relevant DCs and local stakeholders, with a view to soliciting their support and seeking relevant legislative exemption from the Legislative Council.

Agenda Item V: “Proposed Amendments to the Road Traffic Ordinance (Cap. 374)”

5. Under section 56(1)(b)(ii) of the Road Traffic Ordinance (Cap. 374) (the Ordinance), a driver shall stop when a road accident occurs where damage is caused to an animal. At present, animal means any horse, cattle, ass, mule, sheep, pig or goat (all of them are domesticated) under the concerned provision. The Government proposes to amend section 56(4) of the Ordinance by extending the definition of animal to cover dogs and cats.

6. The legislative intent of section 56(1)(b)(ii) of the Ordinance was to protect the interests of livestock owners. As wild animals are not kept specifically by any individual (i.e. without owner), their inclusion under the Ordinance shall be out of context. Nonetheless, the Government noted that there was opinion that wild animals, such as monkeys and wild pigs, should also be included in the Ordinance to step up protection on them. The Government is open to this proposal and would decide after taking into account comments received from members of the public and relevant stakeholders.

**Food and Health Bureau
Environment Bureau
Agriculture, Fisheries and Conservation Department
June 2018**

Appendix I

Motions passed by the Panel on Food Safety and Environmental Hygiene at the meeting on 8 May 2018

Agenda Item IV: “Outcome of the ‘Trap-Neuter-Return’ Trial Programme for Stray Dogs”

Motion 1

This Panel urges the Administration to:

- (i) embrace the concept of the “Trap-Neuter-Return” (“TNR”) programme and discard the previous passive approach of “catch and kill” in the handling of community animals, while actively promoting the vision of integration of community animals in society; and
- (ii) increase resource allocation for implementing the TNR programme, actively communicate and co-ordinate with the District Councils and local residents in order to alleviate the public's worries about the TNR programme, as well as increase resource allocation for promoting the idea of “adopt and not buy” and publicising responsible pet ownership.

Moved by: Hon CHAN Hak-kan

Seconded by: Dr Hon CHIANG Lai-wan

Motion 2

The Administration should consider implementing as soon as possible “trap-neuter-vaccinate-return” (“TNVR”) programmes for dogs in all the 22 police districts with designated animal cases investigation teams. Moreover, whenever animal welfare organisations or groups apply for implementing TNVR programmes in particular districts, the Food and Health Bureau as well as the Agriculture, Fisheries and Conservation Department should provide them with comprehensive assistance and support, including identifying solutions to the problems encountered in the past in the course of implementing TNVR programmes and making more proactive co-ordinating efforts among various District Councils, rural bodies and community persons,

etc., so that TNVR programmes could be taken forward in a practical manner and become an effective and sustainable measure in controlling the number of community dogs, thereby further promoting the integration of human beings and dogs in the communities.

Moved by: Hon Claudia MO

Motion 3

This Panel expresses grave regret towards the Administration regarding the information it provided to the Panel for this meeting and its attitude, and urges the Food and Health Bureau as well as the Agriculture, Fisheries and Conservation Department to provide the Panel with comprehensive information within six months before holding another meeting to discuss the “Trap-Neuter-Return” programme for stray dogs and its way forward.

Moved by: Hon CHU Hoi-dick

Appendix II

Motions passed by the Panel on Food Safety and Environmental Hygiene at the meeting on 8 May 2018

Agenda Item V: “Proposed Amendments to the Road Traffic Ordinance (Cap. 374)”

This Panel requests the Administration to also include common community animals in Hong Kong such as monkeys and non-domesticated wild boars under the scope of section 56(4) of the Road Traffic Ordinance (Cap. 374), so as to enhance the protection of local community animals.

Moved by: Hon Claudia MO