

政府總部經濟局的信頭
**Letterhead of ECONOMIC SERVICES BUREAU GOVERNMENT
SECRETARIAT**

本函檔號 Our Ref: CB1/SS/10/98

Tel No.: 2810 2507

來函檔號 Your Ref: ECON 63/3231/49

Fax No.: 2868 4679

20 July 1999

Ms Leung Siu-kum
Clerk to Subcommittee
Legislative Council Secretariat
G/F, Legislative Council Building
8 Jackson Road
Central
Hong Kong

Dear Ms Leung,

**Subcommittee on
Resolution under section 3 of the
Dogs and Cats Ordinance (Cap. 167) and
Dogs and Cats (Amendment) Ordinance 1997 (97 of 1997)
(Commencement) Notice 1999**

**Meeting on 23 July 1999 and
Follow-up to meeting on 6 July 1999**

Thank you for your letter of 7 July 1999.

I write to provide the following information requested at the Subcommittee meeting on 6 July 1999. Grateful if you would pass them to Members for consideration, please.

- (a) A list of interested organisations which have been consulted by the Agriculture and Fisheries Department on the draft Dangerous Dogs Regulation is at Appendix A.
- (b) The Animal Welfare Advisory Group (AWAG) was consulted on the draft Dangerous Dogs Regulation. The relevant papers, the extracts of the notes of meetings and a written submission dated 28 June 1999 from one of the members of AWAG are at Appendix B.
- (c) A table showing the regulating measures on the control of dogs implemented in other densely populated cities is at Appendix C.

- (d) We have arranged for an expert from the Police Dog Unit to attend the Subcommittee meeting on 23 July 1999.

- (e) There are two dog gardens under the management of the Urban Services Department. One is at Victoria Park, Hing Fat Street, Causeway Bay and is about 650 m² in size. The other one is at Kowloon Tsai Park, 13 Inverness Road, Kowloon City and is about 500 m² in size.

The Director of Agriculture and Fisheries is prepared to exempt large dogs inside these dog gardens from the leashing requirement under Section 17 of the Dogs and Cats Ordinance, Cap 167.

Yours sincerely,

(Miss Dora H M Fu)
for Secretary for Economic Services

c.c. Director of Agriculture and Fisheries (Attn: Mr K K Liu)

Regulations for Control of Dangerous Dogs

Consultation List (1997)

1. Government Departments Statutory Bodies

- Health Department
- Urban Services Department
- Regional Services Department
- Hong Kong Police Force
- The Law Society of Hong Kong
- Hong Kong Bar Association

2. Veterinary Association

- Hong Kong Veterinary Association
- China (Hong Kong) Veterinary Association

3. Major Animal Feed And Veterinary Supply Companies

- C Vetapet & Co.
- Iceville Ltd. Hong Kong.
- Hill's (New Champion) Trading Co.
- United Aquarium & Pet Supply Co. Ltd.
- Unipet House Co. Ltd.
- Natural Life Pet Products Inc.

4. Livestock Farmers Organization

- Hong Kong Graziers Union
- Hong Kong Pig Farm Association
- The H.K. Livestock Industry Association
- Hong Kong N. T. Poultry Culture (Geese & Ducks) Mutual Association
- The New Territories Chicken Breeders Association Limited
- The Federation of Pig Raising Co-operative Societies of Hong Kong, Kowloon and New Territories Limited

5. Animal Welfare and Related Groups

- Society for the Prevention of Cruelty to Animals
- World Wide Fund for Nature (HK)
- Puppy Watch
- The Asia Representative, International Fund for Animal Welfare
- Earthcare

6. Pet Traders and Animal Associations

- Hong Kong Kennel Club Ltd.
- Hong Kong Pets association Ltd.
- Hong Kong & Kowloon Kennel Association Limited
- Self Discipline (Master of Dog) Association of Hong Kong
- Hong Kong Cat Society
- Hong Kong Canine association
- International Fund for Animal Welfare
- My Pet Club
- Hong Kong Collie Club
- Hong Kong Macau Kennel Club
- Hot Dog Club

7. Academic Institutes

- City University of Hong Kong
- Hong Kong Baptist University
- Lingnan College
- The Chinese University of Hong Kong
- The Hong Kong Polytechnic University
- The Hong Kong University of Science and Technology
- The University of Hong Kong
- The Hong Kong Institute of Education

8. District Board

- 18 District Boards in Hong Kong, Kowloon and New Territories

9. Animal Welfare Advisory Group (AWAG)

Appendix B

- (i) Paper on Proposed Legislation to Improve the Control of Dangerous Dogs Presented to Animal Welfare Advisory Group (AWAG) Meeting on 17 June 1997
- (ii) Public Consultation Paper on Control of Dogs Presented to AWAG Meeting on 30 September 1997
- (iii) Paper on Dangerous Dogs Regulation Presented to AWAG Meeting on 31 May 1999
- (iv) Paper on Exemptions from the Dangerous Dogs Regulation Distributed By Post to AWAG Members on 24 June 1999
- (v) Extract of AWAG Notes of Meetings on 17 June 1997, 30 September 1997, 12 March 1999 and 31 May 1999
- (vi) Written submission dated 28 June 1999 from an AWAG member

**Paper on Proposed Legislation to Improve the Control of Dangerous
Dogs Presented to AWAG Meeting
on 17 June 1997**

Dangerous Dogs Bill

Draft legislation to improve the control of dangerous dogs in Hong Kong has been tabled to the Legislative Council. In the proposed legislation, dangerous dogs were categorized into three types: “Fighting Dogs”; “Known Dangerous Dogs”; and “Potentially Dangerous Dogs”. Definitions and information on the controls proposed for each of these groups are attached.

The Bills Committee reviewing this legislation recently proposed a number of changes to the Bill that requires further public consultation. The major proposals are:

- “Potentially Dangerous Dogs” category to be replaced by a “Large Dogs” category, comprising all dogs over 20 kg;
- “Large dogs” to be securely held on a short leash at all times when in an outdoor public areas;
- “Large dogs” to be leashed and muzzled in indoor “public” areas including “communal” facilities such as lifts, stairways and corridors in buildings;
- The requirement for insurance cover for “Fighting Dogs” and “Known Dangerous Dogs” to be deleted (on advice from the insurance industry that such insurance would be unavailable). Other controls for these dogs to remain the same.

Paper Presented to AWAG Meeting on 30 September 1997

Public consultation paper

Control of Dogs

INTRODUCTION

This consultation paper invites public comments on proposals to regulate the control of large dogs in the interest of public safety.

BACKGROUND

2. Existing legislation to control “dangerous” dogs is regarded as inadequate and applies to dogs in general (Annex 1). In June this year legislation which enables the Chief Executive in Council to make regulations providing for the control of such dogs was passed (Dogs and Cats (Amendment) Ordinance 1997).

3. Draft regulations for control of dangerous dogs were scrutinised by members of the Bills Committee when they examined the Dogs and Cats (Amendment) Ordinance 1997. The draft regulations proposed three categories of dangerous dogs - “fighting breeds”, “known dangerous dogs” and “potentially dangerous dogs”. They also stipulated the level of control applying to each of these categories, which varied depending on the perceived severity of the risk (see Annex 2 for details).

4. After reviewing submissions and hearing views from the public and the Administration, the Bills Committee supported the proposals applicable to “fighting breeds” and “known dangerous dogs”, except for the

requirement for third party insurance, which the Administration put on hold following advice from the insurance industry that they would not be able to offer such cover.

5. The Bills Committee did not support the “potentially dangerous dogs” category, considering that it did not reflect fully the types of dogs from which the public should be protected. The Bills Committee considered that this category should cover all large dogs, including chow and mongrel dogs which comprise a high proportion of the total dog population, and which statistics show are responsible for more than half of the bites resulting in hospitalisation of the victim. They therefore proposed replacing the “potentially dangerous dogs” category with a “large dogs” category in which dogs of any breed exceeding a certain size would be subject to controls.

6. In the resumed debate on the second reading of the Dogs and Cats (Amendment) Bill 1996, the Secretary for Economic Services stated that the Administration had no objection in principle to this proposal, but in view of its considerably wider scope, wished to conduct further public consultation on the proposal.

7. The purpose of this paper is to set out for public consideration the scope and implications of the Bills Committee’s proposal and to invite public views on the way forward.

THE “LARGE DOGS” PROPOSAL

8. The Bills Committee proposed that dogs of any breed exceeding a certain size, defined according to weight, should be -

- kept on a leash and be muzzled in indoor public places;
- kept on a leash, without being muzzled, in outdoor public places; and
- allowed off the leash in specified outdoor areas.

9. The rationale of this proposal is that -

- (a) in the crowded conditions of Hong Kong, members of the public and pet dogs often come into close proximity, particularly in common areas of buildings, such as lifts and corridors. Many people are uncomfortable in the presence of large dogs. In addition, most people do not understand canine behaviour, and their actions (particularly those of young children) in close proximity to a dog may inadvertently provoke instincts in the dog which result in a bite. If the dog is a large dog, the chance of the bite being a serious one is greater. Members of the public should therefore be entitled to expect that large dogs (i.e. those more capable of inflicting serious bites) should be held on a leash and fitted with a muzzle in indoor public places;
- (b) large dogs should also be on a leash in outdoor public places, as they might otherwise cause annoyance and possibly danger to the public. Outdoors, a leash prevents a dog from engaging in predatory or territorial behaviour, such as chasing moving

objects (e.g. bicycles or joggers) or attacking pedestrians perceived as a threat to itself or its owner. In outdoor public places dogs will not be in unavoidably close proximity to members of the public, therefore mandatory use of a muzzle in such places is not called for; and

- (c) there is legitimate concern among dog owners and veterinarians that keeping large dogs on a leash at all times when exercising is detrimental to their well being. There should be opportunities for such dogs to be exercised off the leash in areas which are not so heavily congested, such as country parks.

10. The Bills Committee's "large dogs" proposal would apply to dogs over a certain weight. We consider that, for the proposal to apply to the great majority of dogs capable of inflicting serious bites by virtue of their size and strength, as intended by the Bills Committee, it would need to apply to all dogs weighing 20 kilograms (44 pounds) or more. As a guide, Annex 3 lists some examples of breeds of dog that, when fully grown, would fall into the category.

11. While this proposal covers many dogs normally regarded as placid, a general requirement for dogs to be restrained and muzzled in indoor public areas is not unreasonable given the crowded conditions of Hong Kong and the relative lack of experience of the general public in dealing with dogs. In many cases, a muzzle will need to be fitted only for a few minutes while the dog is taken from its place of residence through public indoor common areas to outdoor areas, where the muzzle will no longer be required. In such cases, soft muzzles that can be carried easily

by the owner would be suitable.

12. If the proposal is implemented, advice will be provided to dog owners on suitable types of muzzle and how to fit them correctly. We intend that exemptions for certain dogs (such as guide dogs) would be available on application to the Director of Agriculture and Fisheries.

13. There would also be publicity on the types of dogs which, typically, would fit into this category. However, the keeper will have ultimate responsibility for knowing the weight of his dog. Accurate scales are available at government kennels (and most private veterinary clinics) for dog owners to check the weight of their dogs. In cases of dispute or potential prosecution, the owner would be directed to take the dog to a kennel to be weighed. Provision for this has already been incorporated into the amended Ordinance.

14. We estimate this proposal would apply to more than 30,000 dogs. This covers considerably more dogs than the original “potentially dangerous dogs” category which would have imposed tighter controls on some 10,000 dogs from eight breeds.

15. As for using country parks for exercising dogs, we wish to point out that, at present, dogs are permitted to enter these areas provided they are kept under control by their keeper. This allows responsible keepers to exercise obedient dogs “off leash”, provided they maintain sufficient control of their animals. This provision also allows the Government to take action against irresponsible keepers whose dogs disturb other park users.

Based on the fact that no serious dog bite incidents have been reported within country parks, we believe that existing measures provide a reasonable balance between the need for exercising dogs and the rights of other park users. We therefore propose that existing controls for dogs in country parks be retained, and that the “large dogs” proposal outlined above need not apply in these areas. Measures for controlling the other two classes of dangerous dogs (i.e. “fighting breeds” and “known dangerous dogs”), as described in Annex 2, will still apply.

INVITATION TO COMMENT

16. The public is invited to comment on the contents of this paper, particularly the Bills Committee’s proposal on control of large dogs as against the Administration’s original proposal of regulating certain large breeds.

17. Comments should be submitted by 17 October 1997 to -

Agriculture and Fisheries Department
12th Floor, Canton Road Government Offices
393 Canton Road
Kowloon
(Fax: 2311 3731)

Agriculture and Fisheries Department
September 1997

Existing Laws in Hong Kong for Control of Dangerous Dogs

Currently, there are no specific restrictions on the keeping of dangerous dogs, although the following legislation can be applied to such animals:

- (a) section 5 of the Dogs and Cats Ordinance (Cap. 167) provides that a magistrate may, on complaint that a dog is dangerous, order that the dog be destroyed or kept under proper control;
- (b) section 23 of the Rabies Ordinance (Cap. 421) provides that dogs must be on a leash or otherwise under control in a public place;
- (c) section 4 of the Summary Offences Ordinance (Cap.228) provides that any person who keeps a dog which persistently annoys or menaces passers-by or who allows an unmuzzled ferocious dog to go at large or urges any dog to attack or worry any person, commits an offence;
- (d) section 5 of the Country Parks and Special Areas Regulations (Cap 208 sub. leg.) provides that dogs must be kept under control while within a country park or special area.

**Original Proposal for Control of Dangerous Dogs Presented to LegCo
Bills Committee in June 1997**

The original draft regulations presented to the Bills Committee with the Dogs and Cats (Amendment) Ordinance 1997 proposed three categories of “dangerous dogs”:

“Fighting Breeds”

Including dogs of the type known as the Pit Bull Terrier, Japanese Tosa, Fila Brasiliera or Dogo Argentino and cross bred dogs incorporating these breeds.

The controls proposed for these animals included a ban on importation and breeding, sterilisation of existing animals, a requirement for these dogs to wear a distinctive collar at all times and to be properly controlled on a short leash and correctly fitted with a muzzle when in a public place. Owners of these dogs were to take out an insurance policy to cover damages to other parties caused by their dogs (this was subsequently withdrawn on advice from the insurance industry that such policies would not be available).

“Known Dangerous Dogs”

Dogs that have been declared as such by a magistrate following severe attacks on people or animals, or if they habitually put people in fear.

Controls proposed for these dogs were similar to those for “Fighting Breeds” except for the ban on importation.

“Potentially Dangerous Dogs”

This group comprised certain breeds that had been shown in Hong Kong or elsewhere to be more likely to inflict a serious injury when they bit people or other animals. The list also included those breeds that were used in the past to develop the Pit Bull Terrier, and which may retain some of undesirable character traits of that “breed”.

The breeds included in this category were:

American Staffordshire Terrier

Staffordshire Bull Terrier

Bull Terrier

American Bulldog

German Shepherd (and related breeds)

Rottweiler

Dobermann Pinscher

Mastiff (and related breeds)

Cross bred dogs incorporating any of these breeds.

The control measures proposed for dogs in this category were that they be securely held on a leash and correctly fitted with a muzzle when in a public place.

Some Examples of Large Dogs Exceeding 20 kg Body Weight*

Afghan Hound	Greyhound
Alaskan Malamute	Labrador
American Staffordshire Terrier	Mastiff
Bull Terrier	Old English Sheep Dog
Chow Chow	Rhodesian Ridgeback
Dobermann Pinscher	Rottweiler
German Shepherd	Samoyed
Golden Retriever	Saint Bernard
Great Dane	Sharpei#
Greyhound	

* Breeds of dog that when fully grown are likely to exceed 20 kg in weight. This table is presented as a guide only. Many “chow” and/or mongrel/cross bred dogs will also fall within this category.

Only some dogs of the Sharpei breed would exceed 20 kg in weight - most falling between 18 and 22 kg.

Paper Presented to AWAG Meeting on 31 May 1999

Dangerous Dogs Regulation

In June 1997 a Bills Committee scrutinised legislation on control of dangerous dogs - the Dogs and Cats (Amendment) Ordinance and the Dangerous Dogs Regulation. The Bills Committee made some suggestions based in part on on submissions made by members of this committee and others, and asked the Administration to consider these in preparing the Dangerous Dogs Regulation. I now summarise below the key changes that have been incorporated into the revised Regulation, to be tabled shortly to the LegCo.

“Large dog” category replaces “potentially dangerous dogs” category

2. In the original proposal, dangerous dogs were classified into 3 categories - the “fighting breeds”, “known dangerous dogs” and “potentially dangerous dogs”. The last category included a range of large breeds such as German Shepherd, Rottweillers and Dobermanns.

3. The Bills Committee considered that this category should be expanded to cover other large dogs as well. Based on this, the “potentially dangerous dogs” category is now replaced by a “large dog” category that includes all dogs over 20 kg. This will incorporate the vast majority of mature dogs of the previous “potentially dangerous dog” category as well as a high proportion of mongrel and chow dogs. The change will affect approximately 30% of dogs in Hong Kong.

“Large dogs” in indoor public places to be on leash and muzzled.

4. Any large dog within the common parts of a building will be required to be on a leash and fitted with a muzzle. This will prevent large dogs biting other residents who inadvertently aggravate a dog while in the confines of a lift or passage. Parts of buildings that form private dwellings are excluded. In most situations, dogs will only be required to wear a muzzle for a very short period of time as they move from their dwelling through the common parts of the building to outside.

“Large dogs” in outdoor public places to be on leash

5. Once a large dog is outside a building, but still in areas accessible to the public the muzzle can be removed. However these large dogs must be controlled by a person 16 years of age or older and the leash must be no longer than 2 metres. This provides the dog with a degree of freedom while still allowing the owner to retain adequate control.

“Large dogs” in Country Parks can be exercised off leash

6. The Bills Committee considered that dogs should be allowed to exercise freely in outdoor open spaces. We will therefore exclude country parks from the regulation. This allows any dogs except “fighting breeds” and “known dangerous dogs” to be exercised off leash in these areas. Existing laws in Country Parks will still apply, which means that dogs in country parks must still be kept under control. The Country Parks Management Board was consulted and they agreed to this proposal.

Exemptions are available

7. In addition, the Director of Agriculture and Fisheries may grant exemptions to any person, class of persons or any dog or any class of dog from the provisions of any regulation provided she is satisfied that public or animal safety will not be endangered by such exemption. AFD envisage that trained dogs may be exempted if they can demonstrate through an examination that they are capable of being controlled off leash in a range of standard situations. We are now developing the format of the examination. Similarly, dogs of the disciplinary forces, guide dogs and dogs within the confines of veterinary clinics will also be exempted.

Enforcement

8. AFD officers enforcing the regulation are authorised to give instructions requiring owners to deliver a large dog found off leash in public places to an AFD kennel for weighing. The owner will be prosecuted if the dog is found to be over 20kg.

9. The controls placed on large dogs have been balanced to take into account public safety as well as animal welfare considerations and are not onerous for owners or their dogs. We believe that these changes have addressed the concerns expressed by legislators and other members of the public.

Paper Distributed By Post to AWAG Members on 24 June 1999 for Comment

Exemptions from the Dangerous Dogs Regulation A Discussion Paper

Under Section 17 of the Dogs and Cats (Amendment) Ordinance, the Director of Agriculture and Fisheries may, by notice published in the gazette, exempt any person or class of persons or any dog or class of dog from any of the provisions of the Dangerous Dogs Regulation, whether generally or in a particular case, where he is satisfied that the public safety and animal safety will not be endangered by such exemption.

2. This paper sets out the approach this Department is considering for exemptions under the Dangerous Dogs Regulation. I would be grateful for your views on this before 2 July 1999. Please forward your comments to Dr L.D. Sims, 13th Floor, Canton Road Government Offices, 393 Canton Road, Kowloon, or fax to 23113731.

Who can get an exemption?

3. At this stage we intend to provide exemptions for the following categories of large dog:

- i) Police dogs
- ii) Customs and Excise dogs
- iii) Correctional Services dogs
- iv) Guide dogs (exemptions from indoor public place requirements)
- v) Large dogs in private veterinary clinics
- vi) Large dogs in public places within the SPCA.
- vii) Dogs at dog shows (on application at the time of application for an exhibition licence)
- viii) Dogs and handlers in the "Dr Dog" programme where the dogs have been certified by a veterinarian that they are suitable for exemption (exemptions from indoor public place requirements).
- ix) Combinations of private individuals and dogs that are proven to be obedient

4. The last category will only be provided with exemptions when the dog and owner can demonstrate to the satisfaction of AFD that their dogs obey all commands immediately and do not pose a hazard to the public. The owners will also be required to make a declaration that the dog has not been trained for attack work.

5. Other groups or associations can apply for exemption. These will be dealt with on a case by case basis.

6. Exemptions for disciplined services dogs are to be used for operational reasons only. Dogs not actively engaged in operations should still be on a leash in outdoor public places unless there is a genuine need to allow the dog to be off the leash. For operational reasons we consider it preferable for these dogs not to be muzzled in indoor public places.

The examination

7. The examination aims to test dogs under a range of situations that mimic those found on the street to ensure that the dog remains under control at all times.
8. There will be five separate tests. Progression to the next test will only be allowed if the dog successfully completes the previous exercise. Passing the examination does not lead to an automatic exemption. Exemptions may not extend to all parts of the regulation.
9. If at any time during and after the examination the dog displays any signs of aggression then it will be disqualified.
10. The following provides a brief outline of the five tests.

Test 1 Veterinary examination

Aim: To assess for aggression.

Examination by a veterinary surgeon for aggression as per the Australian Veterinary Association/RSPCA guidelines (attached). During the examination another dog will be brought into the room and the reaction to the other dog observed. The dog being examined should show no more than casual interest in the other dog.

Test 2 Walk off leash

Aim: To demonstrate that the dog can be controlled off leash by the owner even in the presence of other people.

Individual dogs and owners will be required to walk around a figure 8 course three times with the dog off leash, both at walking pace and a slow run, stopping on several occasions as directed. In the vicinity, there will be people throwing a ball over the heads of the dog and the keeper. At two points in the circuit, people will walk close by the dog and the owner and may stop to talk to the owner or exchange items. Any dog that moves more than 1 metre away from the owner or shows any sign of aggression will be disqualified.

Test 3 Send off, emergency stop and recall

Aim: To ensure that the dog can still be controlled when running free off leash.

The dog will be told to run away from the owner a distance of about 25 metres and then called to stop and return. Any dog that fails to stop immediately and return to the owner without delay after a single voice or non-voice command will be disqualified. Other human activities will be performed in the arena at the same time to mimic the situation in the street.

Test 4 Stay

Aim: To demonstrate that the dog will follow instructions even when distracted by other animals or activities.

A group of 5 dogs will be required to sit, each within a circle 1 metre in diameter, separated from other dogs by about 3 metres. Owners will walk away approximately 10 to 15 metres. The dog must remain sitting even when a person runs or rides a bicycle between the dog and the owner or between the dogs. If the dog moves outside the circle before the owner calls the dog he will no longer be able to continue with the test. The dog will be required to stay for approximately 2 minutes. This test will be repeated using different groups of 5 owners and dogs on each occasion. If there are insufficient trained dogs available then several dogs on leash with their owners will be substituted for the dogs off leash.

Test 5 Wallang in a crowd

Aim: To demonstrate that the dog is capable of walking through a crowd without showing signs of fear or aggression while remaining under control.

The dog will be required to walk through a crowd of people for about 5 minutes on a loose leash, 2 metres in length. If at any stage during the walk the leash becomes taut then the dog will be automatically be disqualified.

Note the loose leash is only used as an additional form of protection for those who will come into close contact with the dog during this exercise. If the examination is run in conjunction with a dog show then the spectators at the show would form the crowd.

Who will conduct the exam?

11. The examination will be judged by AFD staff supported where appropriate by experts in dog obedience judging and private veterinarians contracted to do the work. It needs to be noted that this test is quite distinct from a standard dog obedience trial. Our aim is to make the judging process as objective as possible, thus allowing veterinarians and other staff without extensive experience in judging of dog obedience trials to conduct the test. AFD will seek advice from professional judges on all aspects of the examination before first conducting it.

12. It needs to be clearly recognised that AFD is not providing obedience training for dogs - only an examination. Nor is the test a standard obedience test as organised by kennel clubs. Although passing a standard obedience test provides excellent evidence that a dog is well trained it does not test the dog in the range of situations considered necessary by AFD to warrant exemption.

Where will the exam be held?

13. The examination will be held as an independent event organised by AFD or combined with a dog show for members of that particular organisation. In the latter case the association would need to provide all required facilities for the smooth conduct of the examination. AFD would provide the examiners.

14. We envisage that independent examinations will be held at least twice per year. Examinations held in conjunction with other organisations would only be arranged if there were sufficient dogs to warrant a separate examination and AFD resources were available.

How will exempt dogs be recognised?

15. Following the publication of the gazette notice a letter will be sent to the owner of each exempted dog outlining the responsibilities of exempt owners and the sections of the regulation that will no longer apply to their dog(s). This will include a special tag to be fitted to the collar of exempt dogs. The exemption information will be recorded in the AFD microchip database. An exemption may be cancelled at any time if there is evidence to show that the dog is not controlled properly off leash.

Agriculture and Fisheries Department

24 June 1999

ANIMAL WELFARE ADVISORY GROUP

Ref: 27 in AF LSK 04/11

Minutes of the first meeting held on Tuesday 17 June 1997 at 14F Conference Room of Canton Road Government Offices

Dangerous Dogs Bill

43. The Chairman invited Dr Sims to briefly discuss the Dangerous Dogs Bill.
44. Dr Sims explained that AFD was seeking the Group views on the proposed changes to the Bill.
45. Mr McLaughlin expressed astonishment that the potentially dangerous category had been replaced with a greater than 20 kg category.
46. Dr Sims said he believed the earlier breed-specific category had been considered discriminatory by LegCo. The 20 kg point was an arbitrary one, but it was able to include the common cross-bred chow dog.
47. Dr Cochrane said that it was unrealistic to exercise dogs of, say, over 20 kg on a leash, and that perhaps specified areas should be put aside for this purpose.
48. Mr Lam believed the Bill was uncivilised, and its existence would suggest to the public that dogs were inherently dangerous. He suggested that there should be exemption and accreditation for suitably trained animals.
49. Ms Robinson asked if the restrictions within the Bill would extend to public service animals, such as the "Dr. Dog" programme or guide dogs.
50. Dr Sims explained that the Bill gave discretion to the Director of AFD to grant exemptions.
51. Mr Kwok was of the opinion that owner control was important, and that a leash was essential, but muzzles were not.
52. The Chairman said that the Group's views should be expressed to LegCo and asked Dr Sims to follow up.

(AFD)

ANIMAL WELFARE ADVISORY GROUP

Ref: 13 in AF LSK 04/11

Minutes of the second meeting held on
Tuesday 30 September 1997 at 14F Conference Room
of Canton Road Government Offices

Dangerous Dogs Consultative Paper

51. Dr Sims distributed the paper and invited Members to comment. He explained that comment was due by 17 October.

ANIMAL WELFARE ADVISORY GROUP

Ref: 22 in AF LSK 04/11 1

Minutes of the FIFTH Meeting held on Friday 12th March 1999 at 14F1 Conference Room of Canton Road Government Offices

Agenda Item 4

Legislation to Control Dangerous Dogs

25. Dr. Sims reported that there had been little change to the proposal for the Dangerous Dogs Regulation. Dr. Sims also recapped on the three main groups of dogs and told the group that AFD was working on the system for granting exemption for certain types of dogs.

26. Mr. McLaughlin inquired as to whether the debate about a dog being over 20kg or not had been advanced. Dr. Sims replied that a person could be given an order to present his/her dog to one of the government Animal Management Centres for weighing.

**Extract from minutes of
AWAG meeting
of 31 May 1999**

31 May 1999

Dr. Sims went briefly through the changes to the Dangerous Dogs Regulations as outlined in his discussion paper and also explained the basis for the exemption rules.

Mr. Nelson Lam queried who would be conducting the examination. Dr. Sims replied that the examination would have to be objective and that he would be circulating a copy of the proposed exam to members.

Mr. Nelson Lam added that he had run clinics with the SPCA with attendances of over 200. With help from the Police Dog Unit the seminars had been a success. Mr. Nelson Lam further added that AFD could count on him and also Charles Kong, as experienced examiners/handlers to assist AFD in the examination procedure. Dr. Sims thanked Mr. Nelson Lam for his offer.

Mr. John Wedderburn inquired whether expandable leashes were permissible. Dr. Sims replied that as long as the length of the leash was the appropriate length at the appropriate time, there was no problem.

Mr. Charles Kong expressed his dislike of muzzling dogs in the summer months. Dr. Sims replied that the actual period of time when a dog is required to be muzzled is relatively short. On the point of availability, the Chairman confirmed that appropriate muzzles were now available in Hong Kong.

Reply on the Consultation Paper on Dangerous Dogs Regulation
Exemption by Animal Welfare Advisory Group

香港愛護動物協會的信頭

Letterhead of Society for the Prevention of Cruelty to Animals

Ref: CS/L090/06/99

28 June, 1999

Dr. Howard Wong
Secretary
Animal Welfare Advisory Group
Agriculture and Fisheries Department
12/F., Canton Road Government Offices
393 Canton Road
Kowloon

Dear Howard,

Consultation Paper on Dangerous Dogs Regulation Exemption

The SPCA supports the proposed exemptions for the categories of large dog as detailed in the above paper.

Yours sincerely,

Cynthia Smillie
Deputy Executive Director

Dog Control Measures implemented in other densely-populated cities

<u>Cities</u>	<u>Dogs Control Measures</u>
<p>Melbourne, Australia {The Domestic (Feral and Nuisance) Animal Act 1994}</p>	<p>Dogs to be on leash when off owners' premises and on public land. Council may place restrictions in respect to a dog: prohibition of the presence of dogs in any public place, means and methods of restraint in any public place.</p>
<p>Sydney, Australia (N.S.W. Companion Animals Act)</p>	<p>All dogs in a public place must be on a leash and under the control of a competent person. "Dangerous dogs" must be leashed and muzzled. All American Pit Bull Terriers and all Greyhounds are classified as "dangerous dogs". Any dog that attack humans or animals may be declared "dangerous".</p>
<p>Auckland, New Zealand {Domestic (Feral and Nuisance) Animals Act}</p>	<p>The owner of every dog shall ensure that if the dog is in a public place then the dog shall be kept on a leash, chain or lead which in turn is secured or held.</p>
<p>Singapore {Animals and Birds (Dog Licensing and Control) Rules}</p>	<p>Any dog which is found at large or in a public place otherwise than on a leash; or in a public place without being securely fitted with a muzzle to prevent the dog from biting may be seized or destroyed. Any person who permits the above shall be guilty of an offence.</p>

<u>Cities</u>	<u>Dogs Control Measures</u>
<p>Taipei, Taiwan (Animal Protection Law, Chapter IV, Management of Pets)</p>	<p>Pets in a public place or location that people may enter shall be accompanied by a person above the age of seven. Aggressive pets in a public place or location shall be accompanied by an adult. Appropriate protective measures shall be taken by the dog keeper.</p>
<p>London, UK</p>	<p>No person shall allow a “dangerous dogs” known as Pit Bull Terrier or Japanese Tosa to be in a public place without being muzzled and kept on a leash.</p>
<p>New York City, New York, US</p>	<p>All dogs have to be on leashed in public place except in some parks from 7-9am.</p>