

(Translation)

**Motion on
“Safeguarding animal rights”
moved by Hon KWONG Chun-yu
at the Council meeting of 28 June 2017**

**Motion as amended by Dr Hon Priscilla LEUNG, Hon Jeremy TAM,
Dr Hon Elizabeth QUAT and Hon CHAN Hak-kan**

That in view of our society’s growing concern over animal rights, this Council has passed legislative amendments to increase penalties for cruelty to animals, but animal cruelty cases still keep occurring; Hong Kong’s animal welfare policy lags far behind that of other places, and definitions in the relevant legislation are based on concepts in the early part of the last century; since the Administration has failed to implement an ‘animal-friendly policy’, there is insufficient animal-friendly space in the communities, resulting in the euthanization of more than 10 000 animals a year; to safeguard animal rights, this Council urges the Government to:

- (1) draw reference from the relevant legislation in other places to expeditiously enact legislation on providing comprehensive animal protection, with contents covering affirmation of the definition of animal cruelty, inclusion of the concept of ‘a duty of animal care’, and the classification of abandonment of animals (including non-mammalians) as an act of animal cruelty, and amend the Rabies Ordinance to make microchip implantation of all cats mandatory;
- (2) step up enforcement actions against unlicensed animal breeding facilities, enhance the inspection power of law enforcement officers, consult the public on extending the regulatory system for animal registration and breeding to cover cats and other animals commonly kept as pets, and draw up a timetable for further tightening the regulation of sale of animals;
- (3) study and follow other countries’ practice of establishing specialized teams of ‘animal police’ in the 23 police districts throughout Hong Kong to investigate animal cruelty cases, with a view to curbing animal cruelty;
- (4) comprehensively take forward the scheme of ‘Trap-Neuter-Vaccinate-Return’ in various districts, enhance the transparency of handling stray animals by the Agriculture, Fisheries and Conservation Department, actively

pursue the setting up of a central animal adoption centre under the purview of the Agriculture, Fisheries and Conservation Department, and consider providing funding as well as sites for non-governmental organizations to set up animal adoption centres, so as to minimize the euthanization of stray cats and dogs due to insufficient facilities and manpower;

- (5) increase activity space in the communities for the integration of animals and human beings, including exploring the feasibility of providing more parks and leisure venues admitting animals, such as requiring the provision of dog parks when formulating development plan for new development areas, and permitting passengers to bring along their pets in pet carriers (bags or cases) when travelling on public transport, and consider conducting a trial programme on franchised buses first;
- (6) step up publicity and public education, including studying the inclusion of the subject of animal care in school curricula, and collaborating with community organizations to promote animal-friendly measures;
- (7) streamline the existing animal adoption procedure of requiring applications to be made via community organizations, so as to encourage people to adopt instead of buying animals;
- (8) expeditiously disband the two wild pig hunting teams under the Agriculture, Fisheries and Conservation Department comprising civilian volunteers with arms licences issued by the Police, require that upon receipt of a report on wild pig nuisance, the staff of the Agriculture, Fisheries and Conservation Department should only take the wild pigs back to the wild by tranquilization and leading, and expeditiously conduct a comprehensive study on the wild pigs in Hong Kong to give the public an understanding of the ecological information about wild pigs;
- (9) explore requiring safety supervisors of construction sites to be responsible for handling matters relating to the behaviours and welfare of the dogs kept on their construction sites, and strictly require contractors of construction sites to comply with the 'Code of Practice for Keeping Dogs on Construction Sites' issued by the Agriculture, Fisheries and Conservation Department; and
- (10) expeditiously explore formulating a conservation programme for stray cattle, including ascertaining the habits of different cattle herds and the areas they frequent for the purpose of weighing the pros and cons of the 'Capture-Sterilize-Relocate' Programme for stray cattle, identifying

suitable sites for installing additional cattle grids, improving the soil of cattle relocation sites to facilitate their adaptation, and building additional cowsheds and cattle paths etc. to provide them with more effective protection;

- (11) set up an 'animal welfare fund' for application by non-profit-making or charitable organizations, so as to promote animal welfare-related matters;
- (12) increase the criminal liabilities for the act of abandoning animals, and explore imposing other penalties on offenders, such as requiring them to receive psychological counselling and attend courses on animal welfare, and forbidding them to keep animals for a period of time;
- (13) explore empowering frontline officers to take appropriate rescue actions on animals in danger;
- (14) enhance the training of frontline enforcement officers on handling cases of animal cruelty and their awareness of such cases, enhance the knowledge of prosecutors on animal welfare-related legislation to ensure the strict enforcement of the legislation;
- (15) actively encourage the public to neuter animals and adopt animals, refrain from using euthanization as a means to control the number of stray cats and dogs, and explore the enactment of legislation to regulate animal shelters to ensure their compliance with animal welfare requirements;
- (16) explore the enactment of dedicated legislation on deliberate acts of animal poisoning and actively examine the investigation and prosecution procedures on related offences, so as to ensure that offenders are brought to justice; and
- (17) ensure vendors sell healthy animals, and explore introducing a cooling-off period for the sale of animals;
- (18) increase the minimum penalties for animal cruelty cases to reflect the social concern about offences of animal cruelty;
- (19) improve the hygiene conditions in the animal management centres under the Agriculture, Fisheries and Conservation Department, allow Legislative Council Members, District Council members and animal welfare organizations to regularly inspect these centres, and increase the number of qualified animal adoption organizations;

- (20) set up a 'dedicated hotline for reporting animal cruelty', with the Police conducting proactive investigation into animal cruelty cases reported or disseminated by the public;
- (21) provide subsidy to the public to neuter the animals they keep and train up more veterinarians and related health care personnel;
- (22) amend the Road Traffic Ordinance to require that, apart from having to stop after their vehicles have hit any horse, cattle, donkey, mule, sheep, pig or goat, drivers must also stop their vehicles and report to the Police after hitting any cat or dog;
- (23) increase the numbers of public toilets for dogs and dog excreta collection bins in public places, and step up the frequency of cleaning these facilities;
- (24) step up publicity on endangered species and the relevant regulatory system, and require that animal traders must provide appropriate labels for distinguishing endangered species and provide buyers with points to note on keeping endangered species, so as to strengthen the management of endangered animals;
- (25) explore regulating food products for pets and imposing the requirement of affixing composition labelling on these products, so as to protect the health of animals; and
- (26) explore regulating animal hospice services through licensing.