

LCQ1: Protection of animal rights, interests and welfare

Following is a question by the Hon Kwong Chun-yu and a reply by the Secretary for Food and Health, Professor Sophia Chan, in the Legislative Council today (January 23):

Question:

Regarding the protection of animal rights, interests and welfare, will the Government inform this Council:

(1) as it has been mentioned in the 2017 Policy Agenda that the Government would "study the existing legislation related to animal welfare, and explore introducing a concept of positive duty of care on animal keepers", of the latest progress of that task, the approach for amending the law, and the timetable for public consultation in this respect;

(2) given that while there are now over 540 000 cats and dogs being kept as pets in Hong Kong according to an estimation made in a consultancy report, most means of public transport currently prohibit people carrying animals with them from boarding, whether the authorities have plans to explore with the relevant public transport operators permitting passengers to carry animals with them when travelling in designated train compartments and in franchised buses of certain routes, so as to make it more convenient for pets to travel with their owners; if so, of the details and timetable; if not, the reasons for that; and

(3) given that the Leisure and Cultural Services Department has planned to turn six existing parks into "Inclusive Parks for Pets" and launched a one-year trial scheme this month, but some members of the public have criticised that the relevant facilities are unavailable in such parks, whether the authorities have plans to make improvements and expand the trial scheme to cover every District Council district; if so, of the details; if not, the reasons for that?

Reply:

President,

Having consulted the Transport and Housing Bureau and the Home Affairs Bureau, my reply to various parts of the question is as follows:

(1) To further safeguard animal welfare, we are mapping out the major direction and drawing up preliminary proposals for amending the existing legislation, including reviewing the maximum penalty levels and introducing a concept of positive duty of care on animal keepers, i.e. requiring animal keepers to take all necessary measures to protect the welfare of their

animals, such as providing proper care and sufficient space for their animals and preventing them from disease, injury or suffering, etc. In the past few months, the Food and Health Bureau and the Agriculture, Fisheries and Conservation Department (AFCD) met different stakeholders and introduced to them the preliminary legislative amendment proposals. At present, AFCD is considering views received and drafting the consultation document, with a view to consulting the public in the second quarter in 2019.

(2) Public transport services have heavy usage in Hong Kong, which account for around 90 per cent of all passenger journeys and carry over 12 million passenger trips per day on average. At present, the legislation regulating different modes of public transport allows the visually impaired to board with guide dogs. The legislation also allows operators of public light buses, taxis, non-franchised buses and ferries to decide themselves whether passengers are permitted to board with pets. The Transport Department will continue to make use of the established liaison channels to encourage these operators to provide appropriate assistance to those who need to travel with pets.

As regards the railway and franchised buses, the by-laws and regulations concerned prohibit passengers from boarding trains and franchised buses with pets, except for the visually impaired accompanied by guide dogs. As the patronage of MTR and franchised buses is high and the space in their compartments is limited, they can be rather congested most of the time. In considering whether passengers are to be permitted to use public transport services with pets, the Government has to balance the needs of different stakeholders, including the perspective of protecting animal welfare, considering the reaction of pets in a crowded and confined environment as well as the impact on other passengers. The Government will continue to keep in view the public views on this issue so as to consider whether there should be any change to the existing arrangement.

(3) The Leisure and Cultural Services Department (LCSD) is open-minded about, and adopts a positive attitude to, suggestions of opening up its venues as pet gardens. LCSD has been in close liaison with District Councils in identifying suitable venues for designation as pet gardens. They are generally set up at the designated area of the parks. The number of venues with pet garden managed by LCSD has increased from 19 in 2010 to 49 at present.

In recent years, quite a number of members of the public hope that LCSD can open up the parks in entirety for them to visit with pets. In response to requests from the public, the Trial Scheme of "Inclusive Park for Pets" (the Trial Scheme) was launched by LCSD in January 2019, under which six suitable parks (including Victoria Peak Garden in Central and Western District, Tong Yam Street Hillside Sitting-out Area in Sham Shui Po, Kai Tak Runway Park in Kowloon City, Shing Mun River Promenade Garden No. 3 (Area B) in Sha Tin, Wang Yip Street South Rest Garden in Yuen Long and Tai Wo Hau Road Playground in Kwai Tsing) were selected from various districts across the territory for opening up the whole venues for members of the public to enter and use the venues with pets, with a view to enabling the use of park facilities by

different users in an inclusive environment. LCSD had consulted the District Councils concerned on the locations and the relevant arrangements of the Trial Scheme and obtained their support. LCSD will review the effectiveness of the Trial Scheme one year after its implementation with a view to considering whether to provide "Inclusive Park for Pets" in more districts.

As a new attempt of LCSD, the Trial Scheme aims at enabling park users and members of the public who bring their pets into LCSD's parks to use park facilities together in an inclusive environment, thereby promoting exchanges and integration in the community. As the "Inclusive Parks for Pets" are not specifically designed for use by pets, there are less pet facilities provided compared with pet gardens. Nonetheless, additional dog excreta collection bins have been provided and cleansing efforts have been stepped up by LCSD in the "Inclusive Parks for Pets". At the same time, LCSD is actively examining the feasibility of providing hand-washing facilities in two "Inclusive Parks for Pets" which have not yet been provided with such facilities for the convenience of pet owners. LCSD will continue to listen to views of the public in an effort to enhance the supporting facilities in the "Inclusive Park for Pets".