

LCQ17: Welfare of animals

Following is a question by the Hon Chan Hak-kan and a written reply by the Secretary for Food and Health, Professor Sophia Chan, in the Legislative Council today (June 26):

Question:

Regarding the welfare of animals, will the Government inform this Council:

(1) given that a government official said at a Panel meeting of this Council held last month that the Government was heading towards the goal of "zero euthanasia of animals", of the Government's specific measures to achieve that goal; whether it has set interim goals and the relevant dates for achieving the goals; if so, of the details; if not, the reasons for that;

(2) given that the Agriculture, Fisheries and Conservation Department (AFCD) invited in November last year suggestions from animal welfare organisations (AWOs) on places that might be suitable for conducting the Trap-Neuter-Return trial programme for stray dogs (the trial programme), of the number and details of the suggestions received by AFCD to date; the resources needed for implementing the programme as estimated by the Government;

(3) as AFCD has indicated that the trial programme conducted in the past three years did not achieve the predetermined performance targets, whether the Government will take the initiative to explore suitable places for AFCD to implement a new round of the trial programme; if not, of the reasons for that;

(4) as the Rabies Ordinance (Cap. 421) provides that a keeper of animals who, without reasonable excuse, abandons his mammal (except a human being) commits an offence, of the conviction rates of the relevant prosecutions in the past five years; whether the Government will step up law enforcement efforts, and of the law enforcement manpower in each of the coming three years;

(5) of the current procedure to be followed by animal owners for surrendering to the Animal Management Centres (AMCs) under AFCD the animals that they no longer keep; given that the Government has recently proposed to amend the legislation to introduce the concept of "duty of care" to animals on the part of the persons responsible for the animals, and proposed that the abandonment of an animal should be regarded as a contravention of the duty of care and an offence, whether the Government anticipates that the number of animals to be received by AMCs will increase after the implementation of the relevant legislative amendments; if so, of AFCD's counter measures;

(6) whether it will consider, by drawing reference from the practices in other places, collecting fees from persons abandoning animals, so as to subsidise the relevant expenses of AWOs;

(7) given that the governments of places such as Taiwan, the United Kingdom and the United States have established online platforms for animal owners to register animals and report on loss of animals, whether the Government will develop a similar online platform; if so, of the details; if not, the reasons for that;

(8) given that the number of animals re-homed dropped from 966 in 2014 to 753 in 2018, of the Government's measures to encourage members of the public to adopt animals, e.g. whether it will (i) establish an online platform, (ii) establish a dedicated animal adoption fund, and (iii) provide incentives (e.g. healthcare vouchers for pets, and waivers of fees for dog licences); if so, of the details; if not, the reasons for that; and

(9) given that the main problems currently faced by AWOs are difficulties in finding suitable venues and paying high rents for venues, whether the Government will offer assistance in this regard, including extending the use of the subventions provided for such organisations to include payment of rents; if so, of the details; if not, the reasons for that?

Reply:

President,

(1) The Government has been adopting a multi-pronged approach for promoting animal welfare. The Agriculture, Fisheries and Conservation Department (AFCD) promotes caring for animals and responsible pet ownership through public education and publicity, and also collaborates with animal welfare organisations (AWOs) in animal adoption, with a view to reducing the number of stray animals and animals euthanised.

Since 2011, the AFCD has been providing subventions to AWOs in supporting their work in promoting animal welfare and animal adoption, including setting up animal rehoming centre(s), enhancing facilities of rehoming centre(s) and providing neutering and medical services to animals adopted, conducting education seminars at schools and in the community, organising publicity activities for promoting the animal adoption services, etc. This year, we have increased the amount of subvention to AWOs with a view to strengthening their work in this aspect.

The above measures have started to bear fruit in recent years. In the past five years, the number of dogs and cats euthanised dropped 73 per cent and 68 per cent respectively. We will keep up our efforts in this respect.

The World Organisation for Animal Health (OIE) agrees that in situations where the number of stray dogs caught remain high or the dogs are not fit for adoption despite the deployment of various stray dog management measures, euthanasia would be an appropriate solution. Euthanasia is also adopted in many overseas places to safeguard the welfare of those old or ailing animals.

(2) and (3) The AFCD assisted two AWOs in conducting the "Trap-Neuter-Return"

(TNR) trial programme for stray dogs at two trial sites between 2015 and 2018. The findings showed that the programme did not achieve the predetermined performance targets. In this connection, the AFCD has no plan to implement similar programme. Nevertheless, we keep an open mind and will assist AWOs that are interested in conducting this type of programme at other specific locations. To this end, the AFCD has liaised with AWOs by issuing letters to them last November and released such information on its [thematic website](#). So far, no application has been received. In case any organisation is interested in conducting a similar programme in the future, the AFCD will provide active support, including sharing experiences, conducting district consultations and seeking approval from the Legislative Council for the relevant legislative exemption.

(4) and (5) In accordance with section 22 of the Rabies Ordinance (Cap. 421), a keeper of any animal who, without reasonable excuse, abandons that animal is liable to a maximum fine of \$10,000 and imprisonment for up to six months. From past experience, in adducing evidence to substantiate a case under the Ordinance, it is difficult for the prosecution to prove beyond reasonable doubt that a person abandons an animal without a reasonable excuse, particularly in those cases where there is no witness. There has been no successful prosecution instituted under section 22 of the Ordinance over the past five years.

Nevertheless, if the AFCD manages to identify the owner of a stray dog and learns upon investigation that the dog went astray and has been reclaimed by its owner, a prosecution will be instituted on evidence against the dog owner for failing to keep his/her dog under proper control in a public place in accordance with section 23 of the Ordinance. Any person in contravention of the said provision is liable to a maximum fine of \$10,000. Between 2014 and 2018, there were a total of 1 117 prosecutions instituted in accordance with section 23 of the Ordinance, among which 1 083 resulted in successful prosecution.

In addition, we are currently conducting a public consultation on proposals to enhance animal welfare, including imposing in the legislation a "duty of care" on persons responsible for animals, i.e. persons responsible for animals must take reasonable measures to ensure that the welfare needs of animals are met. Abandoning animals can be treated as a contravention of the duty of care and is liable to prosecution. The proposals, if implemented, will be conducive to supporting the prosecution against animal abandonment. The AFCD will take account of the views received during the consultation period when drafting legislative amendments, and deploy necessary manpower and resources to handle the work. The AFCD will also continue to strengthen the promotion and education on the proper concept of keeping animals in order to reduce pet abandonment. We are currently unable to estimate whether the number of animals received by the management centres will increase subsequent to the proposed legislative amendments.

If pet owners are no longer able to keep their animals and surrender them to the AFCD, the AFCD will look into the reasons behind and endeavour to propose possible options to assist owners in continuing keeping the animals.

If members of the public are no longer able to keep the animals due to economic or environmental issues, personal or family member's illness or other reasons, the AFCD will receive such animals out of consideration for protecting animal welfare. If these animals are assessed by a veterinary surgeon as in good health and having a gentle temperament, the AFCD will arrange their transfer to AWOs for adoption by members of the public.

(6) At present, the Government receives animals abandoned by members of the public with an aim to protect animal welfare. Levying a charge may discourage owners from surrendering animals to the Government and increase the possibility of animal abandonment. We therefore have no plan to charge persons for surrendering pets to the AFCD at the moment. Nevertheless, the AFCD will also continue to provide subventions to AWOs.

(7) If one's pet has gone astray, he/she may report the loss to the AFCD through different channels, including calling the Government hotline 1823, emailing to the AFCD (mailbox@afcd.gov.hk) or making a report of the loss in person to AFCD's Animal Management Centres (AMCs), with detailed information and description of the lost pet, in order to seek assistance. Upon receipt of such a report, AFCD's staff will check if there is any animal in the AMCs that matches with the information/description of the animal, and will inform the pet owner accordingly.

We are aware that pet owners in some overseas places are required to report the loss of their pets to private companies responsible for the management of animal information on microchips, rather than official organisations, which might be different to the situation in Hong Kong. We consider that there are now sufficient channels for members of the public to report the loss of their pets, and AFCD's staff will provide suitable assistance upon receipt of reports.

(8) The number of cats and dogs received and caught by the AFCD dropped from 7 995 in 2014 to 2 943 in 2018 while the ratio of their adoption increased from 11.1 per cent to 22.6 per cent.

At present, some AWOs upload information of the animals to be adopted onto their websites and are open to enquiries for animal rehoming. For any mode of rehoming service (including matching on online platforms), it is necessary to assess the suitability of a prospective adopter, the living environment available for animal adoption, and to take follow-up actions to see if the adopter takes proper care of the animal rehomed. It is more appropriate for non-profit-making AWOs armed with the relevant experience and adopter network to liaise with adopters, identify their needs and carry out assessments.

The AFCD has been carrying out public education and publicity to remind the public that, before deciding to keep a pet, they have to give careful consideration to a range of factors, including their living environment, time available for taking care of pets, whether their family members are willing to keep pets and the expenditure on pet-keeping. We consider the use of publicity and education to encourage animal adoption more appropriate than

provision of monetary incentives. Currently, AFCD's subventions to AWOs also cover their publicity work on animal rehoming services. Thus, we do not see the need to set up a dedicated fund for this particular purpose.

(9) At present, subventions to AWOs are granted on a project-by-project basis, but do not cover recurrent expenditures such as rentals, staff remuneration, etc. According to AFCD's understanding, many AWOs mainly rely on foster homes to take care of animals to be adopted. This practice can provide more opportunities for the animals to interact with people and increase their chance of adoption. AWOs in need of premises running rehoming centres may consider the suitability of vacant government sites, including vacant school premises sites, under the management of the Lands Department that are available for leasing by non-governmental organisations for community purposes on short-term basis. Non-profit making AWOs may also apply for subsidies from a funding scheme run by the Development Bureau to carry out one-off, basic and necessary restoration works so as to put the vacant government sites fit-for-use as rehoming centres.