

# Notes to Applicants - Animals (Control of Experiments) Ordinance (Cap. 340)



Health Technology and Advisory Division  
Department of Health  
HKSAR Government

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# Background (1)

- The Animals (Control of Experiments) Ordinance (Cap. 340) provides for the control of experiments on living vertebrate animals
  
- In Cap. 340-
  - **“Academic institution”** includes universities, university colleges, hospitals, medical schools, agricultural colleges, farm schools, and any other similar institutions
  - **“Animal”** means a living vertebrate animal
  - **“Experiment”** means any experiment performed on an animal and calculated to give pain
  - **“Licensee”** means a person licensed under section 7 of the Ordinance
  - **“Licensing Authority”** means the Director of Health

## Background (2)

According to Cap. 340,

- No person except a licensee shall perform any experiment
  - ▣ i.e. Any person who is involved in performing an experiment on animal should apply for a licence/permit/endorsement(s) for that specific experiment
  
- The Licensing Authority may grant a licence to any person to perform any experiment **for any purpose specified in such licence during such period at such place, and subject to such conditions,** in addition to the conditions specified in the Ordinance, as he may think fit

# Type of licence/ permit/ endorsement

## Licence to Conduct Experiment

Applicable to all animal experiments

Form 3

## Endorsement to Authorize Experiments to Attain Manual Skill

*E.g. To practice open heart surgical techniques using pigs*

## Teaching Permit

*To perform an animal experiment for the purpose of illustrating a lecture  
E.g. To demonstrate the physiology of respiratory system using mice*

Form 4

## Endorsement to Authorize Experiments without Anaesthetics or without Destroying the Animal

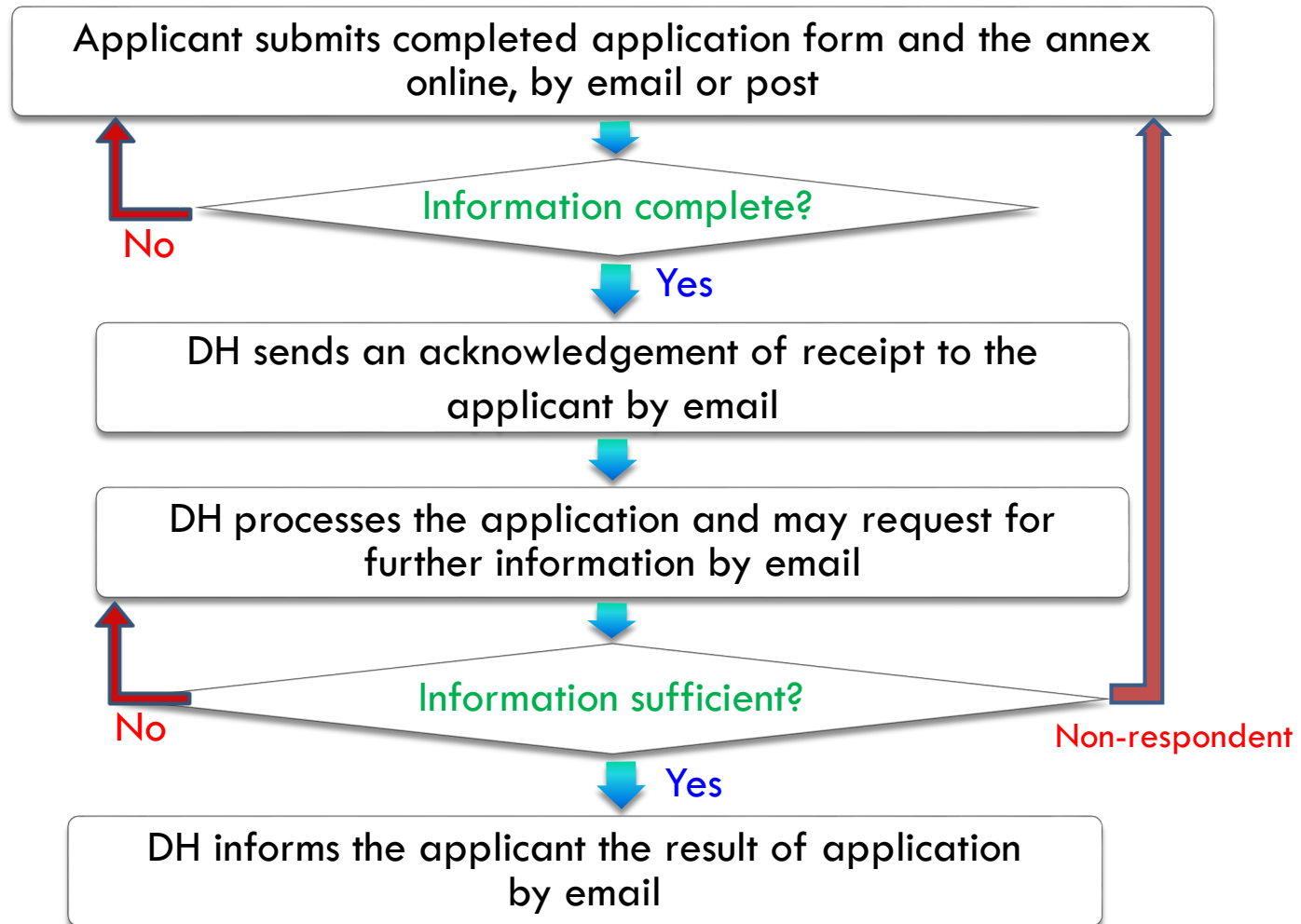
*For experiment that would necessarily be frustrated by the performance of such experiment under any anaesthetic; or by killing the animal on which such experiment is performed before it recovers from the influence of any anaesthetic  
E.g. To study the efficacy of a newly discovered analgesic agent using mice*

Form 5

# Validity period

- Licence to Conduct Experiment with/ without endorsement:
  - ▣ 2 years
  
- Licence to Conduct Experiment with Teaching Permit:
  - ▣ 1 year

# Application procedures



# Application procedures: Renewal of licence

- Renewal of licence
  - ▣ to continue with the same animal experiment as specified in the existing/ previous licence
  - ▣ i.e. the **same experimental procedures** under the type of experiment(s) and the **same purpose of experiment(s)**
  
- Procedure of renewal application
  - ▣ Submit completed application form (Form 1) and the annex preferably **2 months** before the expiry date of the existing licence, together with a copy of the licence to be renewed and completed annual return (Form 7)



# Information required in the Application Form

## (1) Type of licence/ permit/ endorsement

- a) a Licence under section 7 of the Animals (Control of Experiments) Ordinance (Cap. 340)

**Form 2: Licence to Conduct Experiments**

- b) an endorsement / thereto / \*to my existing Licence No. \_\_\_ dated \_\_\_ / under section 8 of the said Ordinance

**Form 3: Endorsement to Authorize Experiments to Attain Manual Skill**

- c) a teaching permit under section 9 of the said Ordinance

**Form 4: Teaching Permit**

- d) an endorsement to / the said Licence / \*my existing Licence No. \_\_\_ dated \_\_\_ under section 10 of the said Ordinance.

**Form 5: Endorsement to Enable Performance of Experiments Without Anaesthetics or without Destroying the Animal**

# Information required in the Application Form

## (2) Grounds for application

- An explanation of **how** the proposed experiment advances scientific knowledge and provides benefits to human beings, animals and/or plants, or tests any former discovery alleged to have been made for the advancement of such types of knowledge  
OR;  
By the order of any judge or district judge
- Reason(s) **why** living vertebrate animals have to be used for the experiment
- Justification for application for an “**Endorsement to Authorize Experiments to Attain Manual Skill**” and/or a “**Teaching Permit**” if applicable

*(Notes: Justification for application for an Endorsement to enable performance of experiments without anaesthetics or without destroying the animal should be provided in the Annex to application form.)*

# Information required in the Application Form

## (3) Type of experiment(s)

- ▣ Kind(s) of animals
- ▣ A **brief** description of the procedures of the experiment(s)
- ▣ Experimental procedures/conditions which may cause pain and/or distress to the animals
- ▣ Measures to be taken to minimise such pain and/or distress in the animals
- ▣ How conditions/ well-being of the animals will be monitored during the experiment

# Information required in the Application Form

## (4) Purpose of experiment(s)

- ▣ A **brief** statement which addresses one of the following -
  - Advance new discovery of physiological knowledge, or of any knowledge which will be useful for saving or prolonging life, or alleviating suffering, or for combating disease whether of human beings, animals or plants
  - Test any former discovery
  - By the order of any judge or district judge
  
- ▣ If applicable -
  - Type(s) of manual skill to be attained; and/or
  - Purpose(s) of the lectures and the type(s) of knowledge and skill the attendants of the lectures could acquire from the proposed experiment

# Information required in the Application Form

## **(5) Place where experiment(s) may be conducted**

- ▣ **full address(es) [including the room number, floor number, name of building and institution]**

# Information required in the Annex to application form

- Quote reference no. for renewal of valid/ expired licence
- Declare compliance with Cap.340
- Kind(s) of animals to be used in the experiment
- Justification for an Endorsement under section 10 of the Ordinance, if applicable

# Information required in the Annex to application form

- Agree Personal Information Collection Statement
- Personal particulars for communication
- A department chop from an authorized person of the institute/company, as an endorsement of the application by the institution

# Legal responsibilities of licensee-

## A. To keep Form 6 (Record of Experiments)

- **Up-to-date records** of all licensed experiments in the form set out as **Form 6**
- Any person who contravenes the above provision shall be guilty of an offence and shall be liable on summary conviction to a fine of HK\$2,000 and to imprisonment for 3 months.



# Sample of completed Form 6

**ANIMALS (CONTROL OF EXPERIMENTS) REGULATIONS**

FORM 6  
Record of Experiments

Name of Licensee : CHAN Tai Man

Date of experiment.	Place where performed.	Animal used.	Purpose of experiment.	If animal dead, state how died.	Nature of experiments (if performed under teaching permit or under special endorsement this should be stated).
01-09-2021	Room 10, 1/F, Lab Building, The University of ABC	20 mice	To study the side effect of Drug A	Overdose of anaesthetic	Research

*This should be the same as that stated in licence.*

*State the date(s) of experiments conducted.*

*Specify the exact location(s).*

*Specify the animals used.*

*This should be the same as that stated in the licence.*

*The method(s) used to sacrifice the animals should tally with that as stated in the licence.*

*Indicate nature of the experiment e.g. research, illustration of lectures (for teaching permit), manual skills (for endorsement) according to the purpose as stated in the licence.*

# Legal responsibilities of licensee-

## **B. To permit inspections by authorized officers**

- Any records of licensed experiments (including Form 6)
- Any place specified in the licence for the performance of experiments
- Announced and/or unannounced inspection visits between 8am and 6pm other than Sunday or public holiday

# Legal responsibilities of licensees

## C. To render Form 7 (Return of Experiments)

- To the Director of Health **on or before the 1st day of January of each year** a return in the form set out as **Form 7** of all experiments performed by him/ her during the preceding twelve months
- Any person who contravenes the above provision shall be **guilty of an offence** and shall be liable on summary conviction to a fine of HK\$2,000 and to imprisonment for 3 months

# Sample of completed Form 7

**ANIMALS (CONTROL OF EXPERIMENTS) REGULATIONS**

**FORM 7**  
Return of Experiments

Name of Licensee : CHAN Tai Man

No. and date of Licence : (20-1) in DH/HT&A/8/2/X Pt-1 01-01-2020

Period covered by return : From 01-01-2020 To 31-12-2020

Number of experiments conducted.	Place(s) where performed.	Kinds and number of animals used.	Purpose of experiments (e.g. manual skill, illustrating lectures, etc.).	Any teaching permits, lectures and other endorsements applicable during the period.
3	Room 10, 1/F, Lab Building, The University of ABC	20 mice	To study the side effect of Drug A	Nil

Dated 31-12-2020

Signed Chan  
(Licensee).

*This should be the same as that stated in licence.*

*Refer to the Ref No. stated on the licence and the date on which the licence was issued.*

*The period should cover all experiments performed during the preceding twelve months of a return rendered.*

*This should be the licence start date if this is the first return.*

*Indicate whether a Teaching Permit (Form 4) or Endorsement(s) (Form 3 and/or Form 5) for the experiment has been granted.*

*This should be the same as that stated in the licence.*

*Specify the exact location(s).*

*Specify the kinds and exact number of animals used.*

*State the exact number of experiments conducted within the period covered by return.*



# Annex to Form 7

- To provide personal particulars for communication and law enforcement
- To indicate if the licensee has completed or stopped the experiment, or he/ she is going to leave his/ her academic institution/ organization before the end of the specified period granted in the licence

# Frequently asked questions-

## Application on behalf of a group of students/participants

- For attaining manual skill under the supervision of teaching staff
- Teaching staff: granted a licence to conduct the experiment and a teaching permit for that particular experiment
- Application procedures:
  - Submit an application with a list of names, qualifications and unique identifier (e.g. student number) of those students or participants
  - Provide the name(s) of the teaching staff involved and the reference number of the licence and teaching permit that has already been granted for that particular experiment

# Frequently asked questions- Laboratory staff performing the same procedures in different experiments

## Special remark:

- Submit an application with a list of licensees/ departments that the applicant is going to assist
- In the application form:
  - ▣ Section “*Type of experiment(s)*” : provide a summary of experimental procedures that he/ she will perform and the measures that will be taken to prevent the animal(s) from experiencing pain during the procedures
  - ▣ Section “*Purpose of experiment(s)*” : indicate that the aim of the proposed experiments and procedures is to assist licensees in their licensed experiments



# Frequently asked questions – Same experiment as that of my colleague(s)

- Submit separate application forms together; or
- State the reference number given by the Licensing Authority in the licence / correspondence (for applications pending approval) of the colleague's application, and attach a copy of the colleague's licence if available

# Frequently asked questions-

## Variation of licence

- Variation of place(s) of conducting experiment or change of department within the same institution is allowed
  - ▣ Inform us in writing of the full address(es) of the proposed place(s) for experiment or the name of the new department
  - ▣ Revised licence superseding the existing one will be issued if approved
- Other proposed changes e.g. change of institution, the type(s) of animals, experimental procedure(s) and method(s) used to sacrifice the animals
  - ▣ → Require submission of a new application

# Frequently asked questions-

## Leaving your institution/ company

- If you will no longer perform experiments in the specified place on the licence
  - you may terminate your licence
  
- Inform the Licensing Authority in writing of the effective date on which you leave the academic institution/ company
- Submit a Form 7 (Return of Experiments) and the Annex for experiments performed during the preceding 12 months of the leaving date, except those which have been covered by the previous return

# Frequently asked questions-

## Experiment on sacrificed animals

- Cap. 340 provides for the control of experiments on living vertebrate animals, a licence is **NOT applicable** to the experiments which will only involve animals after they are sacrificed (including dead animal body dissection or tissue collection from a dead body)
- When handling the animals, please comply with the Prevention of Cruelty to Animals Ordinance (Cap. 169) which can be found at <https://www.elegislation.gov.hk/hk/cap169>.