

**For discussion  
on 14 December 2004**

**LegCo Panel on Food Safety and Environmental Hygiene**

**Administration of Urn Grave Cemeteries**

**PURPOSE**

This paper briefs members on the proposed follow-up actions by the Food and Environmental Hygiene Department (FEHD) in response to The Ombudsman's Direct Investigation Report on the Administration of Urn Grave Cemeteries released on 4 November 2004.

**BACKGROUND**

2. FEHD took over the responsibility for administration of urn graves on 1 January 2000 from the then Urban Services Department (USD) and Regional Services Department (RSD). The administration of the urn grave cemeteries is governed by the Public Health and Municipal Services Ordinance (Cap. 132) and the Public Cemeteries Regulation (Cap. 132 BI).

3. The Cemeteries and Crematoria Section of FEHD is responsible for the management of 11 public cemeteries, 6 public crematoria and 8 gardens of remembrance, as well as the monitoring of the operation of 28 private cemeteries, 7 licensed funeral parlours and over 90 licensed undertakers of burial.

4. Under the existing policy, coffin burials in public cemeteries have to be exhumed after six years. The exhumed skeletal remains may be deposited in an urn for burial in an urn grave or be cremated with the ashes deposited in a niche at a columbarium, both of which are permanent arrangements. FEHD charges a one-off fee of \$6,305 for allocating a new or vacated urn grave space.

**THE OMBUDSMAN'S DIRECT INVESTIGATION**

5. The five public urn grave cemeteries covered by The Ombudsman's direct investigation are the cemetery at Wo Hop Shek providing over 140,000

urn grave spaces and four others at Sandy Ridge, Cheung Chau, Tai O and Lai Chi Yuen providing about 40,000 urn grave spaces in total.

6. The Ombudsman's direct investigation examined:

- (a) the removal process of remains from urn graves;
- (b) post-removal follow-up actions;
- (c) the process of allocating new and vacated urn graves; and
- (d) the maintenance system of urn grave cemeteries.

7. The Ombudsman's major recommendations include:

- (a) Conduct a full survey to verify the records of all the urn graves, transfer the data of the full survey to a single computer database and update it in a timely manner;
- (b) Impose tighter security measures such as random checks to deter illegal activities;
- (c) Draw up concrete plans to follow up the five cases with irregularities detected;
- (d) Instil among all staff concerned including frontline staff a sense of duty to rectify irregularities; and
- (e) Publicise the possibility of prosecution and the penalty for illegal activities within cemeteries, step up prosecution and introduce administrative sanctions such as maintaining a list of unscrupulous contractors for closer surveillance.

## **FOLLOW-UP ACTIONS**

8. FEHD accepts in principle the recommendations made by The Ombudsman. In response to the recommendations, FEHD proposes to introduce various measures to improve the administration of urn graves, including:-

### *Conduct of a Full Survey*

9. FEHD will take forward a full-scale survey of all urn graves to

verify the existing data in the record, to be followed by the merging of all records into one computer database system for regular updating.

#### *Tracking System for Exhumed Human Remains*

10. To assist FEHD in detecting irregularities at an early stage, FEHD will improve the existing administrative system to keep track of the remains of coffin burial in public cemeteries upon exhumation after six years.

#### *Tighter Security Control*

11. Since mid-November 2004, FEHD has enhanced inspection at Wo Hop Shek Cemetery to deter illegal activities by stepping up routine inspection and introducing daily patrols by car at targeted areas. FEHD also plans to set up guard posts in strategic locations which will be manned during daylight hours. The security guards will patrol high risk areas on a daily basis. FEHD will draw up a security services contract for implementation in early 2005.

#### *Follow-up Outstanding Cases with Irregularities*

12. FEHD will set up concrete plans to follow up on the five outstanding cases with irregularities. Since the outstanding cases involve urn graves allocated back in the 1960s in which skeletal remains are found, FEHD will seek legal advice and determine the way forward with regard to moral and ethical considerations. In parallel, FEHD will go through all the cases with irregularities and determine if disciplinary actions on the staff concerned is needed.

#### *Guidelines and Training to Staff*

13. FEHD has issued additional guidelines and instructions concerning work procedures and attitude to assist the staff to improve their performance. FEHD will also organise customer service training programme for the frontline staff serving the cemeteries and crematoria.

#### *Registration System for Cemeteries Contractors*

14. To better monitor contractors providing exhumation, burial and grave covering/tombstone services, FEHD plans to implement a registration system which requires contractors to register with FEHD on a compulsory basis

in order to gain access to FEHD's cemeteries. The system will ensure that contractors would follow the relevant guidelines in performing their work at the cemeteries. We will also require registered contractors to ensure that their employees wear identification badges while working in the cemeteries. Any contractor who is found in breach of the law and/or the conditions for registration will be subject to prosecution and/or de-registration as appropriate. FEHD is finalizing the proposed scheme and will consult the trade in the near future.

#### *Enhancement of Public Awareness*

15. At present, the descendants are required to apply to FEHD for a burial or exhumation permit before burial or exhumation of their deceased relatives. They would normally hire contractors to do the burial/exhumation work. Since mid-November 2004, FEHD has put on its website messages promulgating the importance of the presence of the descendants at the burial/exhumation process. The website also contains information on the application procedures for burial/exhumation permit. FEHD has also distributed guidelines and leaflets on the burial and exhumation procedures to both the descendants and the trade when they apply for burial or exhumation permits.

#### *Improvement of Signposts*

16. FEHD will improve the signposts in the Wo Hop Shek Cemetery to facilitate descendants in locating the graves of their ancestors, as well as erect additional warning signs in the cemetery area to deter illegal activities.

### **WAY FORWARD**

17. FEHD will continue to work on the proposed measures to improve the administration of urn grave cemeteries.

**Health, Welfare and Food Bureau  
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