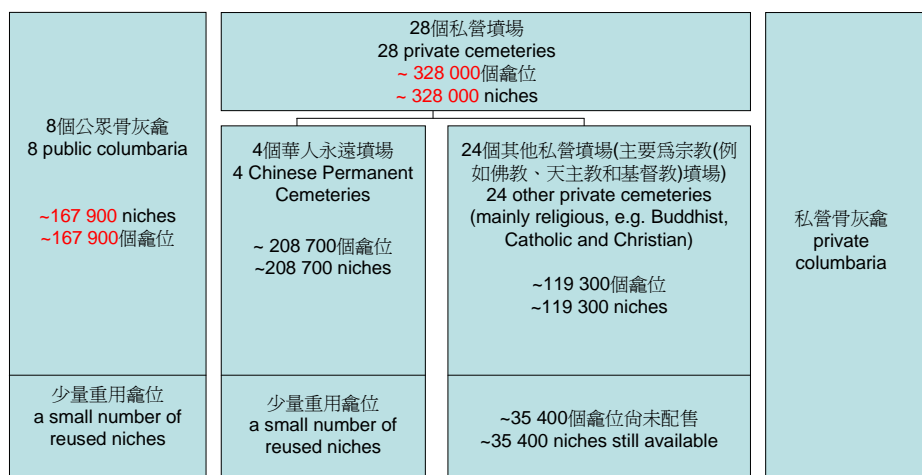


骨灰龕政策檢討 Review of Columbarium Policy

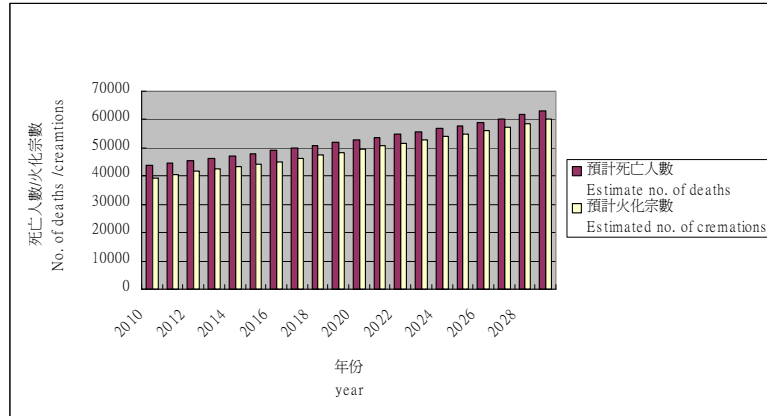
食物及衛生局
Food and Health Bureau

2010年7月6日
6 July 2010

現況 Present position



2010年至2029年的預計死亡人數及火葬宗數 Estimated numbers of deaths/cremations from 2010 to 2029



預計總死亡人數	1 052 500
Estimated total no. of deaths	1 052 500
預計總火化宗數	984 100
Estimated total no. of cremations	984 100

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建議方案及措施 Proposed way forward and measures

- 增加骨灰龕設施供應，滿足社會的整體需要
Increasing the supply of columbarium facilities to meet the overall public demand
- 鼓勵市民接受以更環保及可持續推行的方式處理先人骨灰
Encouraging public acceptance of more environmentally friendly and sustainable means of handling cremains
- 加強消費者在選購私營骨灰龕設施時的保障
Enhancing consumer protection in the choice of private columbaria
- 加強規管私營骨灰龕，以期更有效處理違規情況
Enhancing the regulation of private columbaria to ensure better handling of non-compliant cases

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增加骨灰龕設施的供應

Increasing the supply of columbarium facilities

- 地區為本的骨灰龕發展計劃
District-based columbarium development scheme
- 擴建現有墳場的骨灰龕設施
Expansion of columbarium facilities in existing cemeteries
- 改建工業樓宇為骨灰龕設施
Conversion of industrial buildings into columbarium facilities
- 鼓勵華人永遠墳場管理委員會及宗教團體擴展其骨灰龕設施
Encouraging the Board of Management of the Chinese Permanent Cemeteries and religious bodies to expand their columbarium facilities

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其他處理骨灰及悼念先人方式

Alternative means of handling cremains and paying tribute to the deceased

- 紀念花園
Gardens of Remembrance
- 骨灰撒海
Scattering of cremains at sea
- 網上追思
Internet memorial service

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骨灰龕設施的可持續發展

Sustainable development of columbarium facilities

- 善用現有的骨灰龕位
Maximising the use of existing niches
- 使用年限
Time-limited lease
- 自願交還骨灰龕位計劃
Incentive scheme for the return of niches

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現行私營骨灰龕發展的規管

Existing regulation on private columbarium development

- 規劃
Planning
- 地政
Land Administration
- 建築安全
Building Safety
- 防火安全
Fire Safety
- 街道管理
Street Management

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加強消費權益保障 Enhancing consumer protection

- 公布私營骨灰龕資料
Publication of information on private columbaria
 - 表一：符合土地契約及法定地政和城市規劃規定的私營骨灰龕
List A: Private columbaria compliant with the land lease, and the statutory land and town planning requirements
 - 表二：不在表一內的其他私營骨灰龕
List B: Other private columbaria not on List A
- 消費者教育
Consumer education

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加強規管私營骨灰龕 Enhancing regulation of private columbaria

- 長遠而言，當局認為應立法設立發牌制度，以加強規管私營骨灰龕
In the longer term, the Administration considers that a licensing scheme should be introduced to enhance regulation of private columbaria
- 建議修訂《公眾衛生及市政條例》(第132章)為私營骨灰龕的發牌制度訂定條文
Propose that the *Public Health and Municipal Services Ordinance* (Cap. 132) be amended to provide for the scheme to license private columbaria
- 建議發牌當局 – 食物環境衛生署署長
Proposed licensing authority – Director of Food and Environmental Hygiene

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適用範圍

Application

- 建議「骨灰龕」定義：存放人類骨灰並收取費用，以及並非由食物環境衛生署興建及 / 或營運 / 經辦的處所 / 用地

Proposed definition of “Columbaria”: premises / sites which store human cremains at a charge and which are not built and / or operated / maintained by the Food and Environmental Hygiene Department

- 所有私營骨灰龕，無論在法例生效之前存在與否，均須受發牌制度所規管，並須領取牌照或獲臨時豁免

All private columbaria, pre-existing or otherwise, should be subject to the licensing scheme, and be required to obtain a licence or temporary exemption

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發出牌照/為牌照續期的條件

Conditions for issuing / renewing a licence

- (a) 申請人擁有私營骨灰龕所位於 / 將會位於的處所 / 用地的業權；
The applicant possesses the title to the premises / site where the private columbarium is / will be situated;
- (b) 有關處所 / 用地符合關於規劃、設計、結構、防火、環境衛生及安全的所有法定要求及發牌當局可能根據該新法例公布的任何實務守則；
Such premises / site comply / complies with all statutory requirements relating to planning, design, structure, fire precautions, environmental hygiene and safety, and any Code of Practice that may be published by the licensing authority under this new legislation;
- (c) 就土地用途而言，申請所涉及的處所 / 用地適合發展骨灰龕，而契約條件亦容許發展；以及
The premises / site to which the application relates are / is suitable for columbarium development in terms of land use and that such development is permitted under the lease conditions; and
- (d) 就有關個案的整體情況而言，批出該牌照並不違反公眾利益。這些公眾利益的考慮因素可包括全港骨灰龕位的整體供應、區內居民或團體的意見，以及購買了在發牌制度推行前已存在的骨灰龕位人士的權益。
In all the circumstances the grant of the licence is not contrary to public interest. Such public interest considerations may include the overall supply of columbarium niches in the territory, views from residents or bodies in the district, as well as the interest of patrons of columbaria which came into existence before introduction of the licensing scheme.

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對新法例生效前已存在的私營骨灰龕的安排 Arrangements for Pre-existing Private Columbaria

- 建議在新的發牌制度下，所有新法例生效前已存在的私營骨灰龕須向發牌當局提交證明文件申領牌照。符合發牌條件的申請會獲發牌照經營。未能符合發牌規定的私營骨灰龕，應申請臨時豁免，以容許它們在未有牌照前暫時繼續經營

Propose that under the new licensing system, all pre-existing private columbaria would need to produce documentary evidence to the licensing authority to apply for a licence. Applications meeting the licensing conditions will be issued with a licence. Private columbaria which cannot satisfy the requirements of the licensing system should apply for temporary exemption which would allow them to continue their operation without a full licence on a temporary basis

- 發牌當局應獲賦權在發出臨時豁免時，訂定嚴謹的條件
The licensing authority should be empowered to grant temporary exemption with stringent conditions
- 獲臨時豁免的私營骨灰龕須在臨時豁免有效期內，致力盡快申請正式牌照
Private columbaria with temporary exemption should, during the validity period of the temporary exemption, work towards applying for a proper licence as soon as possible
- 獲臨時豁免的私營骨灰龕在獲發正式牌照之前，必須凍結骨灰龕位數目，並須停止出售骨灰龕位

A private columbarium that has been granted temporary exemption must freeze the number of niches and stop further sale of niches before a proper licence is issued.

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公眾諮詢 Public Consultation

- 食物及衛生局會由即日起展開全面的公眾諮詢，包括立法會相關的事務委員會、各區議會、業界和其他持份者

The Food and Health Bureau to launch a full-scale public consultation starting from today for about three months, involving the relevant Legislative Council Panels, all District Councils, the trade and other stakeholders

- 公眾可於2010年9月30日或之前，以郵遞、電郵或傳真方式把意見送交食物及衛生局

Members of the public may forward your views and comments to the Food and Health Bureau on or before 30 September 2010 by mail, electronic mail or facsimile

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謝 謝

Thank you