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Panel on Food Safety and Environmental Hygiene

**Background brief prepared by the Legislative Council Secretariat
for the meeting on 11 December 2012**

Supply of public niches

Purpose

This paper summarizes the concerns of the members of the Panel on Food Safety and Environmental Hygiene ("the Panel") on issues relating to the supply of public niches.

Background

2. The Food and Environmental Hygiene Department ("FEHD") manage eight public columbaria located in Cape Collinson, Diamond Hill, Fu Shan, Kwai Chung, Wo Hop Shek, Cheung Chau, Lamma Island and Ping Chau respectively. As at March 2012, these public columbaria provided 167 932 public niches, all of which had been allotted, with some 300 re-used public niches available each year for allotment to applicants on the waiting list. The waiting period is normally two years or more, depending on the number of vacated niches available in different columbaria and the number of applicants on the waiting list.

3. In view of the high demand for public niches, FEHD has been examining the feasibility of expanding the eight public columbaria since 2000. The extension projects of the public columbaria located in Cheung Chau, Wo

Hop Shek, Kwai Chung, Cape Collinson and Diamond Hill were completed during the period of 2004 to 2011. The project of constructing a new public columbarium and a Garden of Remembrance at Kiu Tau Road of Wo Hop Shek was also completed in July 2012. According to the Administration, FEHD would continue to review the feasibility of building additional niches in other public columbaria.

4. On 6 July 2010, the Food and Health Bureau launched a public consultation on review of columbarium policy. It was suggested in the relevant consultation document that columbarium development should be primarily taken forward in the following directions: (a) increasing the supply of columbarium facilities to meet the overall public demand; (b) promoting public acceptance of more environmentally friendly and sustainable means of handling cremains; (c) enhancing consumer protection in the choice of private columbarium facilities and (d) enhancing the regulation of private columbaria. The consultation exercise ended on 30 September 2010. According to the Administration, the key concepts and directions of the proposals were broadly endorsed by the public and stakeholders across different sectors of the community. Members of the public were also generally supportive of the concept of district-based columbarium development projects.

Deliberations of the Panel

5. The Panel discussed the subject of columbarium policy at a number of meetings between 2009 and 2012 and received views of deputations at two meetings. The deliberations and concerns of members on issues relating to the supply of public niches are summarized below.

Supply of public niches

6. Noting the heavy demand for columbarium niches, members stressed the need for the Administration to increase the supply of public niches. They called on the Administration to adopt suitable measures to cope with the public demand and explore new ways for the disposal of cremains.

7. According to the Administration, considerable effort had been placed to increase the supply of columbarium facilities in the past few years, but

objections from the local communities and District Councils ("DCs") to the development of columbarium facilities in their own districts had impeded a number of columbarium projects. In the Administration's view, in order to address the needs of residents in various districts, all districts should collectively share the responsibility to develop columbarium facilities. Members were subsequently advised that the Administration had identified 24 potential sites in all 18 districts across the territory for columbarium development. A number of projects were also underway to increase the supply of public niches in the coming few years, such as the Diamond Hill Columbarium extension project which would provide 1 540 niches in April 2012 and the Cheung Chau Cemetery extension project which would provide some 990 niches by the end of 2013. Together with the supply of niches in Chinese Permanent Cemeteries, the Administration estimated that more than 120 000 new niches would be available by 2016.

8. Noting that all 160 000 public niches had been allotted, members made a number of suggestions to increase the supply of public niches to meet the demand. Some members suggested that consideration should be given to constructing basements under the columbarium buildings of existing public cemeteries or constructing cemeteries in outlying islands to increase the supply of public niches. There was also a view that the Administration should improve the design of public columbaria and maximize the use of floor space to provide as many niches as possible.

9. According to the Administration, it was unlikely that families of the deceased would choose to place the ashes of their loved ones in a basement. The Administration also had reservations on the construction of new columbaria in outlying islands as ferry companies would have great difficulties in providing adequate ferry service to meet the demand generated by the large number of grave sweepers during the Ching Ming and Chung Yeung Festivals.

10. Members noted that there were standard and large niches which could respectively accommodate two and four urns for holding the ashes of deceased persons with kinship. Question was raised as to whether it was feasible to split the existing standard niches into half with a view to making the unused part become available to meet the demand. The Administration advised that it was difficult to do so as it was the depth, and not the width, of the niche that could accommodate two urns.

Alternative ways of disposal of cremains

11. Members called on the Administration to step up its effort to encourage the public to dispose cremains of their loved ones in designated Hong Kong waters or Gardens of Remembrance in order to promote environmentally friendly interment. There was also a suggestion that the Administration should follow the practice of the Mainland authorities by subsidizing the cost of scattering cremains at sea.

12. The Administration advised that it had been promoting such alternative ways of burials through the non-governmental organizations operating elderly and end-of-life care services. To promote the scattering of cremains at sea, FEHD had launched a pilot scheme on the provision of free ferry service starting from January 2010 to facilitate the scattering of cremains in the waters of the east of Tung Lung Chau.

13. There were reports that urns with cremains were netted by fishermen in waters where the pilot scheme of cremains scattering services took place. Many members expressed concern as to whether the service users of the pilot scheme had been informed not to dispose of urns into the sea and the actions taken by the Administration to monitor the cremains scattering services.

14. According to the Administration, scattering cremains at sea could only take place at one of the three designated areas which were away from the fish culture zones and prior approval for performing the services should be obtained from FEHD. The pilot scheme run by FEHD forbade any disposal of urns into the sea. For people who rented private boats for cremains scattering services, FEHD had reminded families of the deceased, licensed undertakers and vessel operators not to dispose of urns or other offerings into the sea.

Recent developments

15. At the Council meeting of 21 November 2012, Hon LEUNG Kwok-hung raised a written question about the burial services, enquiring, among others, the update on the district-based columbarium development scheme.

16. According to the Administration, among the 24 potential sites identified for columbarium development, the Diamond Hill Columbarium extension project (providing 1 540 niches) was completed in April 2012 and the extension project of Cheung Chau Columbarium (providing 990 niches) would commence in early 2013 for completion by the end of the year. As for the Wo Hop Shek Cemetery extension in North District (providing about 44 000 niches), the site at the Tsang Tsui ash lagoon in Tuen Mun (providing about 110 000 niches), the site at Tsing Tsuen Road near the Tsuen Wan Chinese Permanent Cemetery in Kwai Tsing District (providing about 20 000 niches), as well as the construction of funeral parlour, crematorium and columbarium facilities at the undeveloped areas within the Sandy Ridge Cemetery (providing about 200 000 niches), the relevant DCs were consulted between April and November 2012.

Relevant papers

17. A list of the relevant papers on the Legislative Council website is in the **Appendix**.

Council Business Division 2
Legislative Council Secretariat
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Relevant papers on the supply of public niches

Committee	Date of meeting	Paper
Panel on Food Safety and Environmental Hygiene	12.5.2009 (Item IV)	Agenda Minutes
Panel on Food Safety and Environmental Hygiene	16.10.2009 (Item I)	Agenda Minutes
Panel on Food Safety and Environmental Hygiene	9.2.2010 (Item VI)	Agenda Minutes
Panel on Food Safety and Environmental Hygiene	6.7.2010 (Item III)	Agenda Minutes
Panel on Food Safety and Environmental Hygiene	20.9.2010 (Item I)	Agenda Minutes
Panel on Food Safety and Environmental Hygiene	15.10.2010 (Item I)	Agenda Minutes CB(2)218/10-11(01)
Panel on Food Safety and Environmental Hygiene	12.4.2011 (Item IV)	Agenda Minutes
Panel on Food Safety and Environmental Hygiene	13.12.2011 (Item IV)	Agenda Minutes
Panel on Food Safety and Environmental Hygiene	16.3.2012 (Item I)	Agenda Minutes
Legislative Council	21.11.2012	Question 14