

For discussion  
on 9 December 2016

**Bills Committee on Private Columbaria Bill**

**Proposed Work Plan**

**Introduction**

This paper sets out the proposed work plan on taking forward the Private Columbaria Bill (“the Bill”) for Members’ consideration.

**Proposed Arrangements**

2. The Bill contains 11 parts (131 clauses) and seven schedules. To facilitate Members’ scrutiny of the Bill, we propose, for Members’ consideration, the following timetable –

<b>No of Week</b>	<b>One meeting in this week</b>	<b>Subject</b>
<b>General Discussion</b>		
1	9.12.16	<b>Kick-Start Session:</b> <ul style="list-style-type: none"> <li>• General Introduction on the Bill</li> <li>• Work Plan</li> </ul>
2	12.12.16 to 16.12.16	<b>Discussion Session on General Policy Issues:</b> <ul style="list-style-type: none"> <li>• Regulatory Framework</li> <li>• Consumer Protection Measures</li> <li>• Ash Disposal Requirements</li> </ul>
3	19.12.16 to 23.12.16	<b>Christmas</b>

<b>Clause-by-Clause Examination</b>		
4	2.1.17 to 6.1.17	<p><b><u>Section I - Overview</u></b></p> <p><b>Part 1 (clauses 1 to 7):</b></p> <ul style="list-style-type: none"> <li>• Commencement</li> <li>• Definition and Coverage of the Bill</li> <li>• Exclusions and Exemptions</li> </ul> <p><b><u>Section II – Regulatory Framework</u></b></p> <p><b>Part 3 (clauses 10 to 11);</b>  <b>Part 4 (clauses 12 to 37);</b>  <b>Schedule 2:</b></p> <ul style="list-style-type: none"> <li>• Control on operation of columbaria</li> <li>• Eligibility requirements of a licence</li> <li>• Grandfathering arrangements for pre-cut-off columbaria, including – <ul style="list-style-type: none"> <li>(i) modification of eligibility requirements of a licence; and</li> <li>(ii) eligibility requirements of an exemption and a TSOL</li> </ul> </li> <li>• Notification scheme</li> </ul>
5	9.1.17 to 13.1.17	<p><b><u>Section II – Regulatory Framework (cont'd)</u></b></p> <ul style="list-style-type: none"> <li>• For details, see above</li> </ul> <p><b><u>Section III – Licensing Board and Appeal Board</u></b></p> <p><b>Part 2 (clauses 8 to 9);</b>  <b>Part 4 (clauses 38 to 45);</b>  <b>Part 5 (clauses 50 to 56);</b>  <b>Part 8 (clauses 80 to 90);</b>  <b>Part 9 (clause 103);</b>  <b>Schedules 1 and 3:</b></p> <ul style="list-style-type: none"> <li>• Proposed licensing board</li> <li>• Power of the licensing board, including – <ul style="list-style-type: none"> <li>(i) interment of ashes by exercising interment right sold before the cut-off time;</li> <li>(ii) interment of ashes in religious ash pagodas</li> </ul> </li> </ul>

		<p>(iii) other day-to-day operational matters</p> <ul style="list-style-type: none"> <li>• Appeal mechanism</li> </ul>
6	16.1.17 to 20.1.17	<p><b><u>Section IV – Consumer Protection and Ash Disposal Requirements</u></b></p> <p><b>Part 5 (clauses 46 to 49);</b>  <b>Part 7 (clauses 63 to 79);</b>  <b>Schedules 4 and 5:</b></p> <ul style="list-style-type: none"> <li>• Requirements about agreement for sale of interment rights</li> <li>• Proper handling of ashes, whether or not because of cessation of columbarium operation</li> </ul>
7	23.1.17 to 27.1.17	<p><b><u>Section IV – Consumer Protection and Ash Disposal Requirements (cont'd)</u></b></p> <ul style="list-style-type: none"> <li>• For details, see above</li> </ul> <p><b><u>Section V – Enforcement and Miscellaneous</u></b></p> <p><b>Part 6 (clauses 57 to 62);</b>  <b>Part 9 (clauses 91 to 102 and 104 to 106);</b>  <b>Part 10 (clauses 107 to 111);</b>  <b>Part 11 (clauses 112 to 131);</b>  <b>Schedules 6 and 7:</b></p> <ul style="list-style-type: none"> <li>• Enforcement (powers conferred upon and delegation by the Director of Food and Environmental Hygiene)</li> <li>• Guidelines, codes of practice, template for management plan and service of documents</li> <li>• Implications on other legislation and consequential amendments</li> <li>• Fees and charges</li> <li>• Transitional arrangements</li> </ul>
8	30.1.17 to 3.2.17	<b>Lunar New Year</b>

<b>Rounding Up</b>		
9	6.2.17 to 10.2.17	Overall review, including Committee Stage Amendments (CSAs) (if any)
10	24.2.17	Submission of final report of the Bills Committee to the House Committee
11	7.3.17	Issue of Notice of Resumption of Second Reading (see Rule 54(5)(d) of the LegCo Rules of Procedures)
12	13.3.17	Submission of CSAs (if any) (see Rule 57(2) of the LegCo Rules of Procedures)
13	22.3.17	Resumption of Second Reading
14	31.3.17	Enactment of the Private Columbaria Ordinance (the Ordinance)

### **Proposed Timetable**

3. We propose to enact the Ordinance within March 2017, well before the Ching Ming Festival and the Easter in 2017. This will be reviewed from time to time depending on the progress made.

### **Advice Sought**

4. Members are invited to consider and endorse the proposed arrangements and timetable.