

**For discussion
on 13 February 2018**

Legislative Council Panel on Food Safety and Environmental Hygiene

**New Allocation Arrangement for Public Niches
and Green Burial Initiatives**

Introduction

To cope with the long-term public demand for facilities and services for handling cremated ashes of the deceased, the Government is taking forward a three-pronged approach, namely, promoting the sustainable development of the private columbaria sector through introducing a regulatory framework¹, increasing the supply of public niches and promoting green burial. This paper focuses on the latter two areas and seeks Members' views on the following proposals -

- (a) to introduce a time limit for use of public niches;
- (b) to expedite the allocation of public niches; and
- (c) to step up promotion of green burial.

Background Statistics

2. In line with demographic changes, the number of deaths in Hong Kong has been increasing steadily in the last few decades. It is projected that the trend will continue, with a 26% increase in the annual number in 10 years' time, and 58% in 20 years' time. The annual number of cremations will increase correspondingly. Details are tabulated below.

¹ The Private Columbaria Ordinance came into operation on 30 June 2017. It provides a regulatory framework for the operation of private columbaria. The Private Columbaria Licensing Board set up under the Ordinance has started to accept applications for licences and other specified instruments from 30 December 2017 onwards.

Year	Number of deaths	Number of cremations
2017 (actual)	45 883	42 809
2027 (projected)	57 700 (+26%)	54 815 (+28%)
2037 (projected)	72 500 (+58%)	68 875 (+61%)

Supply of public niches

3. The Government is determined to increase the supply of public niches. Under the district-based columbarium development scheme, a total of 24 potential sites have been identified in the 18 districts for columbarium development. Up to 31 December 2017, relevant District Councils have given support or raised no objection to 14 projects, which will provide around 590 000 new niches in total². The proposed projects in the remaining 9 potential sites would provide roughly an additional 300 000 niches. We would consult relevant District Councils on these projects upon completion of feasibility studies currently underway.

4. Of the 14 projects with District Councils' green light, two have been commissioned³. The remaining projects are currently at different stages of development. Specifically, the project at Wong Nai Chung Road in Wan Chai will be completed in late 2018, providing about 855 new niches. The project at Tsang Tsui in Tuen Mun will be completed in the latter half of 2019 tentatively, providing about 160 000 new niches and a Garden of Remembrance (GoR). They will be a major source of supply of public niches in the short to medium term. Other columbarium projects (e.g. the Columbarium at Wo Hop Shek Cemetery – Phase 1) will be progressively completed after 2019.

5. While the Government is making all-out efforts to build new columbarium facilities, it is not realistic to expect the supply of new niches to catch up continuously with the rising demand due to the growing population

² The Government has informed this Panel previously that the Government has decided to use the Fu Shan site for the reprovisioning of the Fu Shan Public Mortuary.

³ The projects at Diamond Hill and Cheung Chau were completed in 2012 and 2013 respectively, providing 2 540 new niches.

and competing demands for the limited supply of land in Hong Kong. We are also mindful of the challenges we face in seeking to build columbaria in individual districts, including topographical conditions, land use compatibility, infrastructural support, traffic and environmental implications, and the concerns of residents in the vicinity of the proposed sites.

6. To make the best use of the limited supply of public niches, we have since 2014 removed the cap on the number of sets of ashes that may be placed in an existing public niche. If put to full use, we expect this would provide space for accommodating at least some 180 000 sets of ashes⁴. While we are stepping up promotional efforts to encourage the public to make fuller use of **existing** public niches, we consider it opportune to introduce measures to optimize the use of **new** public niches coming on stream in the years ahead.

(A) Introduction of a time limit to use of public niches

7. Under current practice, public niches are allocated for permanent use. Very few are surrendered for reuse. The cumulative effects over time of non-re-usable niches will be a severe drain on land resources, to an extent even worse than residential units for the living which are recycled through generations of inhabitants.

8. In real life, allocated public niches may become increasingly unattended to by descendants with the passage of time. Field observation suggests that grave sweeping for niches allocated years ago is markedly infrequent compared with that for newer ones.

9. There are suggestions that the Government should consider introducing a time limit for use of newly allocated public niches, and regarding the absence of renewal applications as an indication of surrendering the niches for re-allocation⁵.

10. For reference, some non-Government bodies providing niches are

⁴ From 2014 to 2017, we received on average some 3 000 applications a year for co-location of ashes.

⁵ In Director of Audit's Report No.65 issued in October 2015, it was recommended that Government should examine the feasibility of this suggestion with a view to improving the sustainability of public niche supply.

also taking new management initiatives to optimize the land allocated to them for burial and columbarium facilities and services. The Hong Kong Chinese Christian Churches Union, for instance, has since August 2017 introduced a time limit to the niches in their cemeteries for an initial interment period of 20 years which is extendable for every 10 years subject to renewal and payment. Separately, many private columbaria have taken or are taking active steps to introduce time-limited occupation of niches against the present perpetual interment right. And in places such as Macau and some provinces in Mainland China, the interment of ashes in newly allocated niches is under a time-limited occupation lease with post-occupation re-use through renewal and re-allocation.

New public niches

11. Public niches are currently provided for people to deposit the cremated ashes of the deceased and to pay tribute to them. In support of more sustainable development of these facilities and making optimal use of land resources available, we **propose to introduce a time limit for use of new public niches starting from the coming allocation exercise tentatively scheduled for end 2018**. As illustration, we may consider a possible allocation arrangement as follows -

- (a) new niches will be allocated upon application based on an initial interment period of **20 years**, after which the interment may be renewed every **10 years** on payment of a fee;
- (b) well before expiry of the initial 20 years' interment period (or such 10-year renewal periods thereafter), the Government will contact⁶ the niche allocatees or their representatives as nominated in the application form through their last known contact details to ascertain their wish to renew the interment;
- (c) in the event that the niche allocatee or his or her nominated representative decided not to renew the interment, they would be advised to empty the niches before the expiry of the prevailing

⁶ As a matter of procedure, FEHD would issue, say, a year before expiry and every three months thereafter if there is no response to earlier approaches, letters and emails to the niche allocatee or his or her nominated representative, and post notices on concerned niche walls, newspapers and FEHD websites.

interment period;

- (d) if the niche allocatee or his or her nominated representative could not be contacted after repeated attempts, the ashes will be disposed of in an appropriate way as determined by the Director of Food and Environmental Hygiene, such as scattering into the GoRs managed by the Food and Environmental Hygiene Department (FEHD) or at designated areas in Hong Kong waters; and
- (e) the final ash disposal arrangement will be set out in an agreement to be signed between the niche allocatee and the Government, with unequivocal terms that the onus is on the allocatee to handle the ashes after expiry of the 20-year initial allocation or 10-year renewal periods and to update the Government of contact details from time to time.

12. While we are strongly of the view that the re-use of niches should be promoted to be the norm, we are open-minded on the details of the arrangements. We welcome views from Members on how best to work out a technically feasible scheme to introduce a time limit for use of public niches that is generally acceptable by the community, with due regard to traditional local burial practices and sentiments. While the arrangements as proposed above do not rule out perpetual use of public niches upon renewal of interment by descendants of the deceased, we are prepared to consider some form of transitional arrangements if necessary⁷.

(B) Allocation arrangement for new public niches

Last major allocation exercise completed in 2016

13. In 2012, Wo Hop Shek Kiu Tau Road Columbarium Phase V (KTRCo1) and Diamond Hill Columbarium Extension were completed, providing 43 710 and 1 540 new niches respectively. Following established practices, these niches were allocated upon application by computer balloting in phases.

⁷ We may consider, for instance, whether there are merits for keeping a small percentage of new niches for allocation on a permanent basis in the next allocation exercise.

14. Upon completion of three phases of allocation in August 2015, all applicants had been invited to select a niche, but 5 069 niches remained unallocated at the end. A supplementary phase ensued to attract new applications, resulting in allocation of all remaining niches by 31 March 2016 and leaving 5 127 applications not entertained.

15. We have since reviewed the above arrangements in the light of comments received from members of the public and the funeral trade, the Audit Commission and The Ombudsman, and consulted the Working Group on Green Burial and Related Matters under the Advisory Council on Food and Environmental Hygiene as well as the Independent Commission Against Corruption. We would like to propose some improvement measures for the allocation of new public niches, with a view to enhancing operational efficiency without compromising fairness and transparency, and with due regard to local sentiments.

Advance allocation by phases

16. Given the lapse of time since the last allocation exercise, we **propose to advance the next allocation to end 2018**, although not all new public niches for allocation would be ready for use by then. Specifically, we plan to include for this round of allocation 20 000 (or one-eighth of all) new niches from the Tsang Tsui project⁸ and all 855 new niches from the Wong Nai Chung Road project. These two columbarium projects are tentatively scheduled for completion in the latter half of 2019 and late 2018 respectively. We **propose to allocate new public niches by phases** primarily to ensure smooth operation of newly commissioned columbaria of a larger scale with particular regard to local concerns over possible traffic impacts.

Computer ballot weighting

17. Following established arrangements, we **propose** that applications for niche allocation should continue to be determined by **computer balloting**

⁸ Our current plan is to allocate 20 000 niches per annum, as discussed in the Working Group on Development and Planning of Tuen Mun District, Tuen Mun District Council meeting in January 2015, to address local concerns over the possible traffic impact.

because it is fair, equitable and efficient that best serves the public interest⁹. However, to better address public concerns and encourage more efficient use of public niches, we propose certain improvements to the niche allocation mechanism to increase the chance of success of those applications that have failed in niche allocation in the past and where there is co-location of ashes.

18. As set out in paragraph 14 above, the last remaining batch of 5 069 niches of KTRCo1 was allocated in the supplementary phase in 2016, leaving 5 127 applications not entertained. We consider it reasonable to increase the chance of success of such **failed applications** in the next allocation exercise should fresh applications be made¹⁰.

19. Separately, since January 2014, we have removed the cap on the number of sets of ashes that may be placed in existing public niches to encourage **co-location of ashes** of the deceased. Abiding by the same principle and criteria, we consider it appropriate to increase the chance of success of an application for a public niche if more than one set of ashes would be co-located in the same niche.

20. Specifically, we **propose** that the chance of an application will be determined by its ballot weighting, i.e. the number of “ballot papers”, on the basis of the following scheme to give additional ballot weightings to specified groups of applications –

⁹ This is in line with a previous recommendation of the Independent Commission Against Corruption from corruption prevention, fairness and transparency perspectives. Coupled with allocation in phases over time, this would also better meet the actual needs of the population, including those who are deceased in later years.

¹⁰ In the same vein, unsuccessful applications in the coming and future allocation exercises would stand a higher chance of success than first-time applications in subsequent allocation exercises, should fresh applications be made.

Ballot weighting¹¹ Grouping of applications	Normal	Additional	Total
	Number of “ballot papers”		
Group A: one set of ashes, with no previous failure record ¹²	1	0	1
Group B: one set of ashes, with a previous failure record ¹³	1	1	2
Group C: co-location of two sets of ashes, ¹⁴ with no previous failure record	2	1	3
Group D: co-location of two sets of ashes, ¹⁵ with a previous failure record	2	2	4

One set of ash would attract a normal ballot weighting of 1 ballot paper. Additional ballot weighting will be given to aforesaid groups of applications, namely one additional ballot paper for unsuccessful application in the last allocation exercise and one additional ballot paper for co-location of ashes. The chance of success will increase proportionally with the number of ballot papers for an application.

Niche Allocation

21. In previous allocation exercises, successful applicants took turn to select a niche, strictly according to a priority number given to them by computer balloting. In actual operation, one could not choose a niche until

¹¹ This paper sets out the proposed methodology for allocation of standard niches. The same approach will be adopted for large niches.

¹² Previous failure record refers to that of the same deceased only, and does not include the case of an applicant who has been invited but failed to choose a public niche in allocation exercise.

¹³ One additional “ballot paper” will be given irrespective of the number of previous failure record, for tidiness and broad parity with the additional weighting for co-location of ashes.

¹⁴ This is the case of co-location of two sets of ashes. If there is a third deceased for ash co-location, the normal ballot weighting will be 3, so the total number of “ballot papers” is 4.

¹⁵ This is the case of co-location of two sets of ashes. If there is a third deceased for ash co-location, the normal ballot weighting will be 3, so the total number of “ballot papers” is 5.

after the applicants in front of him/her have selected a niche. To expedite the allocation process and enhance efficiency, we **propose** a new arrangement for all future allocation exercises under which applications which are successful in the balloting will be given a **specific public niche** generated by the computer and thus assigned. The applicant will be invited to decide whether to take up that specific niche, and if so to complete the niche allocation formality according to the scheduled date and time. If the applicant decides not to take up the said niche or does not show up as scheduled, the application will be considered to have been processed and the niche given up.

22. This new allocation arrangement has the following merits –

- (a) all new niches, irrespective of its level and orientation on a niche wall, would be drawn randomly by the computer and hence could be allocated more readily. Balloting is conducted in a fair and equitable manner;
- (b) the “waiting/queuing” time is shortened and more manageable as the applicants are only required to complete the formality of niche allocation at a specified time without waiting for his/her turn to allow those in front of him/her to select a niche first; and
- (c) the overall allocation process would be expedited. On current planning, the number of niches to be allocated on each working day may be increased by at least 50% when compared with previous arrangements.

(C) Stepping up promotion of green burial

23. We continue to take proactive efforts to increase the community acceptance of green burial as a sustainable form of ash disposal, such as scattering ashes at GoRs or at sea. An update of our current initiatives is at **Annex**.

24. The efforts we made over the years to promote green burial are bearing fruit. The number of green burial cases handled by FEHD in 2017 accounts for about 12.9% (up to December 2017) of the total number of deaths in Hong Kong, relative to 4.6% in 2010.

Further initiatives being considered

25. FEHD is giving thoughts to longer-term initiatives along the following strategic directions –

- (a) Whatever we promote, the product itself must be genuine and attractive. Specific ideas being considered to improve the offerings of our green burial services and facilities include -
 - (i) We may set up a one-stop enquiry hotline and / or enhance the 1823 services for handling the expected increase in enquiries on green burial services and facilities.
 - (ii) In order to have a better understanding about the public's attitudes and views, FEHD is considering to conduct two sample questionnaire surveys: one for gathering information on the ways in handling the cremains from users of cremation service in past few years; and the other for collecting opinions on green burial from the general population. For the latter survey, FEHD needs to carefully plan the conduct of the survey particularly in selecting and approaching the population targets for ensuring sufficient respondents and representative findings.
 - (iii) At present, GoR is provided more like an ancillary facility of a columbarium, often in a retrofitted manner. The resultant grass areas for ashes scattering are rather confined, not conducive to an experience befitting a life event. To encourage public to choose GoR as a sustainable means of ashes disposal, the GoR should command a landscape in its own right with a fulfilling green ambience, and be able to provide a peaceful and inspiring environment in which visitors can pay respect to their departed loved ones or simply reflect and contemplate. We will explore such ideas seriously in planning for new facilities and harness contemporary design thinking in the process.
 - (iv) At present, outside the Government, only the Board of Management of the Chinese Permanent Cemeteries

(BMCPC) and the Hong Kong Chinese Christian Churches Union provide GoRs in its cemeteries. To facilitate peoples who want their last footprint to be a green one, FEHD may liaise with various religious bodies and operators of private cemeteries to solicit their support in providing more GoRs as far as practicable.

- (b) Burial of the dead is a society ritual; the Government would need to engage widely. We must work closely with community partners to cultivate a change in mindset in different sectors of society and to take concrete actions. Specific ideas being considered include –
 - (i) We may enlarge our networking in society and foster collaboration opportunities with tertiary student groups, religious bodies, district organisations, and relevant non-Governmental organisations (NGOs) and institutions in promoting green burial, targeting at different audiences, such as young people, religious followers, community leaders, the middle-aged and the elderly.
 - (ii) Specifically we may work with our community partners in organising activities embodying the theme of green burial. Where appropriate we may invite them to bid for a contract for services for organising green burial visits, education programmes and the like.
- (c) As always, publicity and public education are a noble way to foster a change in mindset and customs in society, especially in sensitive and sentimental matters like the passing away of loved ones. We will maintain the momentum and leave no stones unturned in exploring innovative means to sustain and enhance the publicity and public education drive. For instance –
 - (i) Green burial is no more than a particular aspect of life and death education. The wider picture of the handling of the inevitable end of a life journey is thought provoking, yet something many wish to avoid as long as possible. This perspective may inspire new, softer ways to get across the green burial messages.

- (ii) We would like to give further thoughts to the idea of establishing a central register recording individuals' wishes for green burial, which would be useful for helping family members of the deceased to make the choice. Celebrities who would be willing to register and reveal their wishes to the public could help attract the public attention to the scheme. We are however mindful of the resources required and the complexity of setting up and running the register (which may require proactive following up with family members once a deceased has been identified on the register).

Advice Sought

26. Members are invited to note the contents of this paper and offer views on the proposals above regarding –

- (a) introduction of time limit to niche allocation (paragraphs 11 to 12 above);
- (b) allocation arrangement of new public niches (paragraphs 13 to 22 above), and
- (c) stepping up promotion of green burial (paragraph 25 above).

27. Taking into account Members' views, we will refine and develop our proposals for implementation. As necessary, we may consult Members further on specific measures.

**Food and Health Bureau
Food and Environmental Hygiene Department
February 2018**

An Update of Green Burial Initiatives

Enhancements of green burial facilities and services

Scattering of ashes at GoRs

1. FEHD manages 11 GoRs in eight columbaria¹⁶. Dedicated walls are erected at each GoR for mounting plaques, if so preferred, in memory of the deceased. Taken together, they provide space for about 32 000 plaques, out of which some 17 300 memorial plaques have been mounted. From 2001 to 31 December 2017, a total of about 23 400 bereaved families have applied for scattering the ashes of their family members in these GoRs.
2. To meet public demand, installation of 1 200 new plaque spaces in Diamond Hill GoR will be completed in the first quarter of 2018 tentatively.

Scattering ashes at sea

3. The public may apply for scattering ashes at three designated locations¹⁷ using privately arranged boats or the free ferry service provided by FEHD. FEHD arranges four memorial sailings each year with two before the Ching Ming Festival and two before the Chung Yeung Festival to facilitate the public to pay tribute to their loved ones. From July 2007 to December 2017, there were some 7 300 applications for scattering ashes at sea.
4. To further enhance the service provision, FEHD is exploring the feasibility of providing additional free ferry service on one Sunday in a month in addition to the current provision on every Saturday (except public holidays).

Internet Memorial Service (IMS) and Green Burial Website

5. FEHD launched the IMS in June 2010, a free memorial website

¹⁶ These columbaria are at Cape Collinson, Diamond Hill, Wo Hop Shek, Fu Shan, Kwai Chung, Cheung Chau, Peng Chau and Lamma Island.

¹⁷ The three designated locations are at the east of Tap Mun, east of Tung Lung Chau and south of West Lamma Channel. These three locations were chosen after consulting the relevant Government departments and District Councils.

(www.memorial.gov.hk) to enable users to create memorial webpages for their loved ones and to pay tribute to them at any time and from anywhere. As at 31 December 2017, IMS had attracted about 8 700 users and about 10 900 memorial pages, with over 3.85 million hit counts.

6. FEHD is now developing a mobile app for IMS to facilitate mobile device users to use the service anytime and anywhere they prefer. The mobile app, to be launched in the first quarter of 2018, will provide functions for personalised profile settings, notifications and sharing via social media.

7. To better facilitate the public's online access to information on green burial, a dedicated, attractive and user-friendly thematic website on green burial has been developed for launch in the first quarter of 2018. This will be a one-stop-shop and portal of online resources including a wealth of information on burial matters and going green.

Publicity and Promotion

Publications, Banners and Posters

8. In addition to the existing publications¹⁸ on green burial on FEHD's website and at various FEHD's Cemeteries and Crematoria offices for publicity, large banners on green burial are also displayed in FEHD's related venues and various public places on an on-going basis. To further enhance the efforts, posters on scattering of ashes at sea and GoR are displayed in large panels at Mass Transit Railway (MTR) network and territory-wide bus shelters several rounds throughout the year.

Announcement in Public Interest (API) and Promotional Videos

9. Further to the television API featuring three celebrities which has been broadcast since March 2016, three more promotional videos were produced between late 2016 and early 2017: one interviewing users of scattering ashes at sea and a GoR visitor, and two featuring two celebrities who experienced the scattering of cremated ashes of loved ones in GoR and at sea respectively. Apart from uploading these APIs/videos to FEHD's webpage and

¹⁸ The publications include the booklets "Returning to Nature What Nature Creates" (回歸自然 生生不息), "A Guide to After-Death Arrangements" (辦理身後事須知) and a composite and succinct leaflet on IMS and scattering of ashes at GoRs and at sea.

displaying screens in related venues as well as other government channels, mass publicity through broadcasting at MTR network, YouTube or Yahoo! Hong Kong are launched several rounds throughout the year for sustaining the momentum.

Exhibitions, Talks, Seminars and Events

10. FEHD considers the annual 50+ Expo (formerly Retiree and Senior Fair) a good opportunity to reach out to the elderly and participated in the 2017 50+Expo, which attracted around 85 000 people. FEHD will continue to participate in the 2018 50+ Expo scheduled for July. In March 2017, FEHD participated in the life and death education expo organised by Tung Wah Group of Hospitals at the Hong Kong Polytechnic University.

11. FEHD has been visiting elderly centres/homes to provide talks on green burial and to invite the elderly to visit related facilities. In 2017, 96 talks to elderly centres/homes and 25 seminars for members of the public have been held, with some 4 400 participants.

12. As a standing arrangement, the Health Education and Resource Centre (HEERC) of FEHD located in the Kowloon Park at Tsim Sha Tsui provides an exhibition area with multi-media display equipment for promotion of green burial. To help promote green burial to young people, HEERC includes green burial messages in its school talks whenever possible. In 2017, HEERC conducted 25 such school talks, reaching out to some 4 000 students. A green burial publicity and public education event held in December 2016 at Kowloon Park Piazza attracted some 3 000 participants of different ages, mostly in family groups.

13. To extend outreach to the general public, FEHD has initiated regular roving exhibition by setting up promotion booth in public housing estates for disseminating green burial messages through broadcasting videos and distributing leaflets since October 2017.

Collaboration with Relevant Non-Governmental Organisations (NGOs) and Institutions

14. FEHD has established contact with a number of NGOs promoting green burial when providing advisory and information services to the elderly

on after-death arrangements. FEHD arranges relevant NGOs and elderly centres/homes to visit GoRs and to attend the service of scattering ashes at sea. In 2017, 105 such visits were organised for some 2 700 visitors. The promotional pamphlet and DVDs containing promotional videos on green burial were/will be distributed to the after-death service units of Government departments/NGOs, green groups, day care centres and homes for the elderly, etc. FEHD has also established specific contact with some 40 hospitals for distribution of booklets/leaflets on green burial. Hyperlinks to the green burial section of FEHD's website are available on the websites of relevant NGOs and Government departments.