



中華人民共和國香港特別行政區政府總部食物及衛生局
Food and Health Bureau, Government Secretariat
The Government of the Hong Kong Special Administrative Region
The People's Republic of China

[English Translation]

30 April 2019

Ms Josephine SO
Clerk to Panel on Food Safety and Environmental Hygiene
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Ms SO,

**Panel on Food Safety and Environmental Hygiene
Implementation of the Private Columbaria Ordinance**

Our response to the follow-up actions on the subject matter arising from the Panel meeting on 12 March 2019 is set out below.

(a) and (c) Demand for and supply of niches in the coming 10 years

With a growing and ageing population, the number of deaths and cremations has been rising gradually. According to projection based on latest demographic and operational data, the cumulative number of cremations would be around 513 000 in the coming 10 years (from 2019 to 2028). The death toll was 47,479 in 2018 and it is estimated to increase from around 50 400 in 2019 to 58 600 in 2028. To cope with the long term public demand for facilities and services for handling cremated ashes of the deceased, the Government has been pursuing a three-pronged strategy, namely increasing supply of public niches, promoting the sustainable development of the columbarium sector through introducing a statutory regulatory scheme and promoting green burial.

On public niches, the Government has been actively promoting the district-based columbarium development scheme to increase the supply of public niches. We have obtained support from District Councils on a number of projects, which are under different stages of planning and design now. Apart from two completed projects in Wong Tai Sin and Cheung Chau, the following columbarium projects will be scheduled for completion in the coming few years, providing about 350 000 new niches –

Location	Approx. no. of niches	Target commissioning year	Progress
Wong Nai Chung Road, Wanchai	855	2019	Under construction
Tsang Tsui, Tuen Mun	163 320	2019	
Wo Hop Shek Cemetery, North	44 000 (Phase I)	2019	
Mui Wo Lai Chi Yuen Cemetery	790	2020	
Cape Collinson Road, Eastern	25 000	2022	
Shek Mun, Shatin	40 000	2023	Consulted the Legislative Council (LegCo) Food Safety and Environmental Hygiene Panel (FSEH Panel) in April 2019 and will submit funding application to LegCo Finance Committee (FC) later.
Sandy Ridge Cemetery, North	54 000 (Phase I)	2024	Consulted LegCo FSEH Panel in April 2019 and will submit funding application to LegCo FC later.

Location	Approx. no. of niches	Target commissioning year	Progress
Tsing Tsuen Road, Kwai Ching	20 000	2025	Pending approval of the Outline Zoning Plan and completion of land grant procedure. Will be passed to the Board of Management of the Chinese Permanent Cemeteries for developing the site.

On private cemeteries, the Food and Environmental Hygiene Department (FEHD) understands that the allocation of the first batch of 5 024 new niches out of the 36 928 niches at the new columbarium block at Pokfulam Cemetery of the Hong Kong Chinese Christian Churches Union has commenced since March 2019. Separately, the Board of Management of Chinese Permanent Cemeteries will develop around 8 000 new niches in Cape Collinson Chinese Permanent Cemetery and around 8 500 new niches in Tsuen Wan Chinese Permanent Cemetery. The two projects are expected to complete by end 2020 and end 2021 tentatively.

As for niches in private columbaria, the future supply of private niches is affected by various factors, including private columbaria operators' business decisions; the number of private columbaria that comply with the application requirements for a licence and the number of unsold niches in these private columbaria; and the progress of their submission of supporting documents for vetting by concerned departments. Thus, it is not possible for us to project the supply of private niches.

In parallel, we are stepping up promotion of green burial, including increasing the number of gardens of remembrance, establishing a central register for green burial, and working with various community sectors to boost its popularity. In 2018, there were over 7 000 green burial cases handled by FEHD and private cemeteries, accounting for around 15% of total deaths in Hong Kong.

(b) The last major allocation exercise of public niche and estimated waiting time

Upon completion of FEHD's last niche allocation exercise in March

2016, allocation of all 43 710 new niches in Wo Hop Shek Kiu Tau Road Columbarium Phase V and 1 540 new niches in Diamond Hill Columbarium Extension was completed, and 5 127 applications were left not entertained.

As there was no waiting list for new public niches, the actual number of applications and the “waiting/queuing” time could not be estimated. Nevertheless, having considered the views from various sectors of the community, FEHD will introduce enhancements. Starting from the next allocation exercise of public niche, one additional ballot paper will be given to applications which were unsuccessful in the last allocation exercise, and hence the chance of success of those cases will increase.

(d) Enforcement work concerning private columbaria

Following the enactment of the Private Columbaria Ordinance (Cap. 630) (Ordinance) on 30 June 2017, a person is required to obtain a specified instrument (i.e. a licence, an exemption or a temporary suspension of liability) in order to operate, manage or in any other way have control of a private columbarium. If a columbarium was in operation immediately before the Ordinance came into effect and it has applied for a temporary suspension of liability on or before 29 March 2018, the grace period will be extended until the application is finally disposed of or withdrawn. In the grace period, the private columbarium can continue to operate without a specified instrument but the operator must not sell or newly let out niches.

During the period from the commencement of the Ordinance to 15 March 2019, the Private Columbaria Affairs Office (PCAO) has received about 110 complaints on suspected illegal operation of private columbaria and conducted investigation on each of these complaints. Furthermore, PCAO has carried out a total of 1 050 proactive inspections and gathered information on suspected illegal operation of private columbaria through other channels (such as media reports, advertisements and monitoring of information on the Internet, etc.). Whenever there are reasonable grounds to suspect for a case, PCAO will conduct more in-depth investigation. During the period, seven raiding operations have been conducted, of which arrests were made in three cases and prosecution has already been taken on one of the cases. On the other hand, for cases where the operators concerned had to carry out ash disposal, PCAO has also followed up requiring the operators concerned to dispose of the ashes kept in their premises in accordance with the Ordinance. Since the commencement of the Ordinance up to 15 March 2019, more than 30 private columbaria have ceased operation and over 20 of them have returned the ashes to the eligible

persons. PCAO will continue to monitor the ash disposal work in relation to the remaining private columbaria.

PCAO will continue to strive to take appropriate actions, including stringent enforcement actions, to combat against illegal operation of private columbaria.

Yours sincerely,

[signed]
(Gilford LAW)
for Secretary for Food and Health

c.c.

Food and Environmental Hygiene Department (Attn: Mr Chiu Yu-chow)
Private Columbaria Affairs Office (Attn: Ms Harriet Wong)