



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

本局檔號 Our Ref.: FHB/F 7/28/20
來函檔號 Your Ref.:

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[English translation]

Clerk to the Panel on Food Safety and Environmental Hygiene
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
(Attn: Miss Josephine SO)

3 August 2021

Dear Miss SO,

**Panel on Food Safety and Environmental Hygiene
Follow-up Issues Arising from the Meeting on 11 May 2021**

I refer to your letter dated 13 May 2021. Regarding the implementation of the Private Columbaria Ordinance (Cap. 630), having consulted the Food and Environmental Hygiene Department, we provide supplementary information at the **Annex** for Members' information.

Yours sincerely,

[signed]

(Gilford LAW)
for Secretary for Food and Health

c.c. Director of Food and Environmental Hygiene

Implementation of the Private Columbaria Ordinance (Cap. 630)

(a) Review of the Private Columbaria Ordinance (the Ordinance)

The Ordinance has set up a new regime to regulate private columbaria from scratch. We have been closely monitoring its implementation. In general, the Ordinance has been implemented smoothly so far, having effectively stabilised and regularised the development of private columbaria with all its complexities through the provision of a practical legal framework to resolve problems left over from history. The operation of the Ordinance is still at an early stage, mainly focusing on the approval of applications for specified instruments. As to other areas (e.g. enforcement and appeals), there are not many cases available at present with not much practical experience to gain. Accumulation of more information and experience is required. We will continue to listen to the views of stakeholders on the regulatory situation and review the implementation of the Ordinance. Legislative amendments will be proposed when appropriate.

(b) The arrangement for the processing of applications for specified instruments from private columbaria by the Private Columbaria Licensing Board (PCLB)

2. Since its establishment, the PCLB has been making every effort to process the applications for specified instruments speedily. To further speed up the processing of applications for specified instruments, the PCLB promulgated the implementation of three measures and arrangements on 30 August 2019, namely granting exemption without requiring applicant to restore the ash interment quantity first, setting a deadline of 31 December 2019 for applicants' submission of documents/information in respect of temporary suspension of liability (TSOL) applications, and administrative arrangements for "Approval-in-principle for TSOL Application".

3. In order to urge the applicants again to submit documents as soon as possible so that the processing of applications for specified instruments can be speeded up, the PCLB announced on 4 September 2020 that the deadline for applicants to submit documents/information for their TSOL applications under

vetting would be 31 December 2020. Subsequently, due to the special circumstances of the COVID-19 epidemic, the PCLB decided on 18 December 2020 to extend the aforesaid deadline to 31 January 2021. Many applicants have submitted a large amount of documents, information and certificates in various domains of application requirements by the end of the deadline on 31 January 2021. The PCLB has carefully examined the status of the submission of the documents/information/certificates by the end of the aforesaid deadline (i.e. 31 January 2021) by the applicants of each TSOL application under vetting, and took appropriate follow-up actions based on the actual circumstances of the cases, including ceasing the vetting of the whole set of applications for specified instruments submitted by two private columbaria. The Private Columbaria Affairs Office (PCAO) has referred the documents/information/certificates submitted by other applicants to the relevant departments for vetting and comments on whether the applications meet the requirements under their purview. The PCAO also continues to vet the applications with regard to the requirements of other domains. Details of the above measures and arrangement are provided in LC Paper No. CB(2)1057/20-21(05).

4. The progress of the PCLB in processing applications depends on the actual circumstances of each case. In particular, it depends on when the applicant submits all the documents and information required, responds to the comments of the relevant departments, takes follow-up actions and provides supporting documents, as well as whether the application meets all the requirements for that category of applications under the Ordinance and the specific requirements imposed by the PCLB. The current target of the PCLB is to arrive at certain decisions (approval, approval-in-principle or refusal to application for licence/exemption/TSOL) for all applications for specified instruments in respect of pre-cut-off columbaria within two years.

(c) Details of the Food and Environmental Hygiene Department (FEHD)'s facilities for temporary storage of displaced ashes arising from cessation of operation of private columbaria

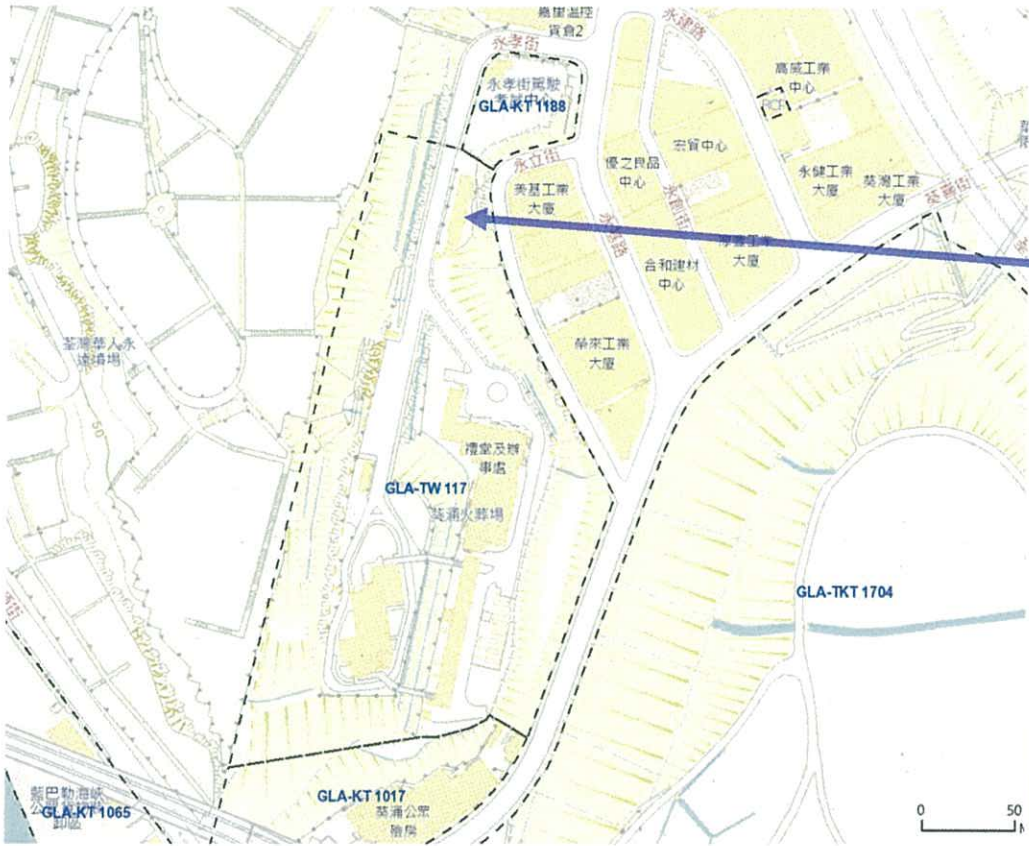
5. Upon cessation of operation of private columbaria, the operators must return the ashes to the eligible claimants in accordance with the ash disposal procedures set out in the Ordinance. In respect of unclaimed ashes after the implementation of the aforesaid procedures, the operators shall, in accordance with the Ordinance, hand the unclaimed ashes to the Director of Food and

Environmental Hygiene (DFEH) for disposal in a manner that the DFEH thinks fit. Before the final disposal of the ashes, FEHD will temporarily store the unclaimed ashes for collection by eligible claimants.

6. At present, FEHD provides some 74 500 temporary storage spaces for ashes at various locations, including Kwai Chung Crematorium (10 080), Wo Hop Shek Columbarium Phase III (5 040) and Phase V (25 670), the old Kwai Chung Crematorium (25 000), Cape Collinson Crematorium and Columbarium (3 800), Fu Shan Columbarium (1 680), and Hong Kong Cemetery (3 240). The temporary storage spaces at Kwai Chung Crematorium and Wo Hop Shek Columbarium Phase III have been opened for public use. The utilisation rate is tabulated as follows:

	Kwai Chung Crematorium (For storage of cremains bags)	Wo Hop Shek Columbarium Phase III (For storage of cinerary urns)
Capacity for temporary storage of ashes	10 080	5 040
Number of spaces occupied (as at April 2021)	823	1 422
Utilisation rate	8.2 %	28.2 %
Location plan and photographs of the facility	See <u>Appendix</u>	

Location plan and photos of temporary storage facility for ashes at Kwai Chung Crematorium



Location plan and photos of temporary storage facility for ashes at Wo Hop Shek Crematorium Phase III

