

**LEGISLATIVE COUNCIL BRIEF**

**PUBLIC HEALTH AND MUNICIPAL SERVICES ORDINANCE  
(CAP. 132)**

**PUBLIC HEALTH AND MUNICIPAL SERVICES ORDINANCE  
(GARDENS OF REMEMBRANCE)  
(AMENDMENT OF FIFTH SCHEDULE) ORDER 2020**

**INTRODUCTION**

This paper briefs Members on the subsidiary legislation concerning the designation of Tsang Tsui as a Garden of Remembrance (GoR) under the Public Health and Municipal Services Ordinance (Cap.132) (“the Ordinance”).

**BACKGROUND AND JUSTIFICATIONS**

2. Under Section 124B and the Third Schedule of the Ordinance, GoRs are managed and controlled by the Director of Food and Environmental Hygiene (“the Director”) in her capacity as the Authority. According to Section 124A(4) of the Ordinance, the Authority may, by order published in the Gazette, add to Part 7 (i.e. list of GoRs) of the Fifth Schedule.

3. The construction project of a new columbarium and GoR at Tsang Tsui, Tuen Mun includes a GoR of about 4 800 m<sup>2</sup> with greenery and designated walls for the mounting of about 20 000 plaques in memory of the deceased. With the construction works completed, the GoR is expected to be commissioned on 1 March 2021. It will be managed in accordance with the Cremation and Gardens of Remembrance Regulation (Cap. 132M).

## **SUBSIDIARY LEGISLATION**

4. The Director will make the Public Health and Municipal Services Ordinance (Gardens of Remembrance) (Amendment of Fifth Schedule) Order 2020 (at Annex) on 31 December 2020 to amend the Fifth Schedule of the Ordinance to include Tsang Tsui in the list of GoRs for gazetting on the same day.

## **LEGISLATIVE TIMETABLE**

5. The legislative timetable is as follows -

Publication in the Gazette	31 December 2020
Tabling at the Legislative Council for negative vetting	6 January 2021

## **PUBLIC CONSULTATION**

6. The Government consulted the Tuen Mun District Council (TMDC) several times<sup>1</sup> during 2012-2015 on the construction of a columbarium and GoR at Tsang Tsui, Tuen Mun. Subsequently, we obtained the support of the Panel on Food Safety and Environmental Hygiene and the Public Works Sub-committee for the project on 14 April and 16 June 2015 respectively. Funding approval by the Finance Committee for the project was obtained on 10 July 2015. Moreover, the TMDC was briefed on the project updates on 5 March 2019.

## **PUBLICITY**

7. A spokesman will be available to answer enquiries.

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<sup>1</sup> Including 8 May and 6 November 2012, 4 November 2014 and 19 January 2015.

## **ENQUIRIES**

8. Any enquiries on this brief may be addressed to Ms Vivian HO, Assistant Secretary for Food and Health (Food)3 (Acting), on 3509 8707.

**Food and Health Bureau**  
**30 December 2020**

**Public Health and Municipal Services Ordinance  
(Gardens of Remembrance) (Amendment of Fifth  
Schedule) Order 2020**

(Made by the Director of Food and Environmental Hygiene under section  
124A(4) of the Public Health and Municipal Services Ordinance (Cap.  
132))

**1. Commencement**

This Order comes into operation on 1 March 2021.

2020

**2. Public Health and Municipal Services Ordinance amended**

The Public Health and Municipal Services Ordinance (Cap. 132) is  
amended as set out in section 3.

**3. Fifth Schedule amended (cemeteries, crematoria and gardens of  
remembrance)**

Fifth Schedule, Part 7—

**Add in alphabetical order**

“Tsang Tsui”.

Director of Food and Environmental  
Hygiene

**Explanatory Note**

This Order amends the Fifth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) to add “Tsang Tsui” to the list of gardens of remembrance.