

**Private Columbaria (Amendment) Bill 2024****Debate and voting arrangements**

- Object of the Bill :** To amend the Private Columbaria Ordinance (Cap. 630) (“the Ordinance”) to:
- (a) enable private columbaria meeting certain conditions to apply for an exemption;
  - (b) increase the penalty for existing offences relating to interment of ashes and the failure to comply with an enforcement notice;
  - (c) introduce new offences relating to the sale of interment rights and interment of ashes;
  - (d) stipulate that the Private Columbaria Appeal Board may receive and consider new materials upon special grounds being shown;
  - (e) disapply the Ordinance from eligible masons’ workshops that temporarily keep ashes for masonry work;
  - (f) update certain references relating to company secretaries; and
  - (g) provide for related matters.

<b>Joint debate : Clauses with no amendments, and a clause with amendment and new clauses proposed by the Secretary for Environment and Ecology (“SEE”)</b>	<b>— Clauses 1 to 16, and the proposed new clauses 6A, 6B, 6C and 7A</b>
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Joint debate on the original clauses and the amendments (including the proposed new clauses 6A, 6B, 6C and 7A).

**SEE’s amendments****Drafting and technical amendments****Clause 6 and the proposed new clauses 6A, 6B, 6C and 7A**

- To amend clause 6 by making technical amendment to the proposed new section 20A(5) to include references to sections 38 and 104(2)(d) to **reflect more clearly that** if the Private Columbaria Licensing Board (“the Licensing Board”) grants an application for exemption made under the proposed new section 14A, **relevant provisions under sections 38 and 104(2)(d) (provisions relating to restriction of imposing additional fees, etc. for interment right sold before the cut-off time) would cover interment rights sold before the enactment date of the Ordinance.**

- To add the proposed new clause 6A to make technical amendment to the existing section 26(1)(b) of the Ordinance to include a reference to the proposed new section 20A to **reflect more clearly that the Licensing Board may approve plans of a columbarium for the purposes of an application for exemption under section 26 of the Ordinance** if it decides to grant the application and authorize or permit the particulars as shown in such plans having regard to the proposed new section 20A.
- To add the proposed new clause 6B to make technical amendment to the existing section 27(4) of the Ordinance to include a reference to the proposed new section 20A to **reflect more clearly that the definition of “eligibility-related provision” under section 27(4) covers the provisions of the proposed new section 20A.**
- To add the proposed new clause 6C to make technical amendment to the existing section 40(2)(a) of the Ordinance to include a reference to the proposed new section 20A, and to make drafting amendments to the Chinese text of section 40(2)(a) to **reflect more clearly that the relevant provisions (related to revocation, suspension, refusal to renew or extend and variation of conditions) cover circumstances under which the Licensing Board may refuse an application under the proposed new section 20A.**
- To add the proposed new clause 7A to make technical amendment to the existing section 84(1)(a) of the Ordinance to include a reference to the proposed new section 20A to **reflect more clearly that a decision of refusing an application for exemption under the proposed new section 20A is subject to appeal under section 84.**

**Voting order** : 1. Clauses with no amendments (i.e. clauses 1 to 5 and 7 to 16) standing part of the Bill  
 2. SEE’s amendment (to amend clause 6)  
 3. Clause 6 with or without amendments standing part of the Bill  
 4. The proposed new clauses 6A, 6B, 6C and 7A be read the second time and added to the Bill

### **SEE’s amendments**

(set out in LC Paper No. CB(2)914/2025(01) issued on 14 May 2025)

Council Business Divisions

Legislative Council Secretariat

19 May 2025