

L.N. 113 of 2025

Chinese Permanent Cemeteries (Amendment) Rules 2025

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Chinese Permanent Cemeteries (Amendment) Rules 2025

(Made by the Board of Management of the Chinese Permanent Cemeteries under section 8 of the Chinese Permanent Cemeteries Ordinance (Cap. 1112))

1. Commencement

These Rules come into operation on 1 August 2025.

2. Chinese Permanent Cemeteries Rules amended

The Chinese Permanent Cemeteries Rules (Cap. 1112 sub. leg. A) are amended as set out in rules 3 to 12.

3. Rule 3 amended (interpretation)

(1) Rule 3(1)—

Repeal the definition of *expiry of the term*

Substitute

“*expiry of the term* (年期屆滿) means—

- (a) in relation to an exhumable lot—
 - (i) if the initial term of an allocation of the lot is not extended—the expiry of the initial term of 10 years; or
 - (ii) if the initial term of an allocation of the lot is extended—the termination or expiry of the extended term;
- (b) in relation to an extendable ordinary niche or an extendable family niche—
 - (i) if the initial term of an allocation of the niche is not extended—the expiry of the initial term of 20 years; or

- (ii) if the initial term of an allocation of the niche is extended—the termination or expiry of the extended term;”.

(2) Rule 3(1)—

Add in alphabetical order

“*extendable family niche* (可續期家族龕位) means a niche for the deposit of ashes allocated under rule 21D;

extendable ordinary niche (可續期普通龕位) means a niche for the deposit of ashes allocated under rule 21C;

family garden for ashes (家族骨灰園) means a space for reception or disposal of ashes allocated or set aside under rule 19A;”.

4. Rule 14A amended (cremation of human remains removed from exhumable lot)

Rule 14A, after “under rule 14(2)”—

Add

“and may dispose of the ashes in such decent manner as it may think fit,”.

5. Rule 18 amended (reversion of vacant ordinary or subscriber lot after exhumation)

Rule 18—

Repeal

“3 months”

Substitute

“1 month”.

6. Part 3A added

After Part 3—

Add

“Part 3A

Family Gardens for Ashes

19A. Dimension, allocation and use of family gardens for ashes

- (1) The Board may designate or set aside a parcel of land or space to be a family garden for ashes.
- (2) A family garden for ashes may be allocated by the Board on payment of the prescribed fee.
- (3) A family garden for ashes must not exceed an area of 900 mm by 900 mm or a total combined area, equivalent to these dimensions.
- (4) A family garden for ashes allocated to a permittee must be used for the reception or disposal of ashes.
- (5) Ashes must either be scattered in a designated area of the allocated family garden for ashes or interred in a container in the allocated family garden for ashes.
- (6) The first reception or disposal of ashes in a family garden for ashes must only be that of the ashes of an eligible deceased.
- (7) After the first reception or disposal of ashes referred to in subrule (6), the Board may permit subsequent reception or disposal of ashes of other deceased persons in the family garden for ashes if—
 - (a) the ashes for a subsequent reception or disposal are those of a relative of the eligible deceased;

- (b) the ashes of the eligible deceased are received or disposed in the family garden for ashes; and
 - (c) the prescribed fee has been paid.
- (8) The Board may determine the maximum number of sets of ashes for reception or disposal in a family garden for ashes.

19B. Reversion of family gardens for ashes allocated

- (1) If a family garden for ashes allocated to a permittee remains vacant for a period of 3 months after the date of allocation, the Board may, at its absolute discretion, revoke the allocation and designation by notice in writing addressed to the permittee at the permittee's last known address and by posting the notice at a conspicuous place of the family garden for ashes.
- (2) On the expiry of 14 days of the notice being sent and posted as prescribed in subrule (1), the family garden for ashes immediately reverts to the Board.
- (3) A family garden for ashes that remains vacant for a period of 1 month after removal of ashes immediately reverts to the Board.
- (4) On reversion of a family garden for ashes not being used for reception or disposal of ashes, all fees paid for the allocation of the family garden for ashes must, after deduction of an administration fee, be refunded to the permittee.
- (5) A family garden for ashes which reverts to the Board under this rule is available for any allocation by the Board.”.

7. Rule 20 amended (allocation and use of ossuary niches)

Rule 20(7)—

Repeal

“referred to in subrule (5)”

Substitute

“in an ossuary niche allocated by the Board under subrule (2), (3) or (4)”.

8. Rule 21 amended (reversion of vacant ossuary niche and ordinary niche)

Rule 21(1), after “the allocation or”—

Add

“1 month after the”.

9. Rule 21B amended (reversion of family niches allocated)

Rule 21B(1), after “the allocation or”—

Add

“1 month after the”.

10. Rules 21C to 21G added

Part 4, after rule 21B—

Add

“21C. Allocation and use of extendable ordinary niches

- (1) The Board may designate a niche to be an extendable ordinary niche.
- (2) The Board may allocate an extendable ordinary niche on payment of the prescribed fee for the immediate deposit of a set of ashes, for an initial term of 20 years, which may be extended for an indefinite number of terms of up to 10 years each, at an additional premium which the Board, in its discretion, may determine at the time of expiry of each term.
- (3) The first deposit in an extendable ordinary niche must only be that of the ashes of an eligible deceased.
- (4) After the first deposit referred to in subrule (3) and before the expiry of the term, the Board may permit subsequent deposits of ashes of other deceased persons in the extendable ordinary niche if—
 - (a) the ashes of the eligible deceased are deposited in the niche; and
 - (b) the prescribed fee has been paid.
- (5) The Board may determine the maximum number of sets of ashes to be deposited in an extendable ordinary niche.

21D. Allocation and use of extendable family niches

- (1) The Board may designate a niche to be an extendable family niche at the time of the allocation of the niche.
- (2) The Board may allocate an extendable family niche on payment of the prescribed fee, for an initial term

of 20 years, which may be extended for an indefinite number of terms of up to 10 years each, at an additional premium which the Board, in its discretion, may determine at the time of expiry of each term.

- (3) The Board may allocate more than one extendable family niche to the same permittee.
- (4) The first extendable family niche allocated to a permittee must be used immediately for the deposit of a set of ashes.
- (5) The first deposit in an extendable family niche must only be that of the ashes of an eligible deceased.
- (6) After the first deposit referred to in subrule (5) and before the expiry of the term, the Board may permit subsequent deposits of ashes of other deceased persons in the extendable family niche if—
 - (a) the ashes for a subsequent deposit are those of a relative of the eligible deceased;
 - (b) the ashes of the eligible deceased are deposited in the niche; and
 - (c) the prescribed fee has been paid.
- (7) The Board may determine the maximum number of sets of ashes to be deposited in an extendable family niche.

21E. Removal of ashes from extendable ordinary niche and extendable family niche on expiry of term

- (1) On the expiry of the term of an extendable ordinary niche or an extendable family niche, the permittee of the niche must remove the ashes from the niche.

- (2) The Board may remove the ashes from the niche and dispose of the ashes in such decent manner as it may think fit if all of the following conditions are met—
 - (a) subrule (1) is not complied with;
 - (b) the Board has published a notice in the Gazette and in at least 2 local Chinese newspapers and at least 1 local English newspaper stating that the Board intends to remove the ashes from the niche;
 - (c) 6 months after the publication of the notice, the permittee still has not removed the ashes from the niche.

21F. Reversion of vacant extendable ordinary niche

- (1) An extendable ordinary niche that remains vacant for a period of 3 months after the allocation or 1 month after the removal of ashes from the niche immediately reverts to the Board.
- (2) The Board may make any further allocation of the niche reverted to the Board under subrule (1).

21G. Reversion of extendable family niches allocated

- (1) If an extendable family niche or all extendable family niches allocated to a permittee at any one time remain vacant for a period of 3 months after the allocation or 1 month after removal of ashes, the Board may, at its absolute discretion, revoke the allocation and designation by notice in writing addressed to the permittee at the permittee's last known address and by posting the notice at a conspicuous place of the niche or niches.

- (2) On the expiry of 14 days of the notice being sent and posted as prescribed in subrule (1), the niche or niches immediately revert to the Board.
- (3) On reversion of an extendable family niche or extendable family niches not having been used for depositing ashes pursuant to this rule, all fees paid for the allocation of the niche or niches must, after deduction of an administration fee, be refunded to the permittee.
- (4) If any fees refundable under subrule (3) are unclaimed by the permittee within a period of 6 years after reversion, such fees must be paid over to the General Chinese Charities Fund.
- (5) An extendable family niche which reverts to the Board under this rule is available for any allocation by the Board.”.

11. Rule 22 amended (digging, paving, monuments and headstones etc.)

- (1) Rule 22(1)—

Repeal

“or urn lot”

Substitute

“, urn lot or family garden for ashes”.

- (2) Rule 22(2)—

Repeal

“or urn lot”

Substitute

“, urn lot or family garden for ashes”.

- (3) Rule 22(3)—

Repeal

“urn lot or niche”

Substitute

“urn lot, niche or family garden for ashes”.

12. Third Schedule amended (fees)

- (1) Third Schedule, item 1(a)—

Repeal

“\$280,000”

Substitute

“\$418,880”.

- (2) Third Schedule, item 1(b)(i)—

Repeal

“\$15,000”

Substitute

“\$22,440”.

- (3) Third Schedule, item 1(b)(ii)—

Repeal

“\$8,000”

Substitute

“\$11,970”.

- (4) Third Schedule, item 1(c)(i)—

Repeal

“\$28,000”

Substitute

“\$41,890”.

- (5) Third Schedule, item 1(c)(ii)—

Repeal

“\$20,000”

Substitute

“\$29,920”.

- (6) Third Schedule, item 1(d)—

Repeal

“\$20,000”

Substitute

“\$29,920”.

- (7) Third Schedule, item 2—

Repeal

“\$100”

Substitute

“\$150”.

- (8) Third Schedule, item 3—

Repeal

“\$40,000”

Substitute

“\$59,840”.

- (9) Third Schedule, item 4(a)—

Repeal

“\$1,800”

Substitute

“\$2,690”.

- (10) Third Schedule, item 4(b)—

Repeal

“\$1,800”

Substitute

“\$2,690”.

- (11) Third Schedule, after item 4(b)—

Add

“(ba) on reversion of a family garden for
ashes (rule 19B(4)) \$ 2,990”.

- (12) Third Schedule, item 4(c)—

Repeal

“\$1,800”

Substitute

“\$2,690”.

- (13) Third Schedule, after item 4(c)—

Add

“(d) on reversion of an extendable family
niche (rule 21G(3)) \$ 2,690”.

- (14) Third Schedule, item 5(a)—

Repeal

“\$3,600”

Substitute

“\$5,390”.

- (15) Third Schedule, item 5(b)—

Repeal

“\$1,800”

Substitute

“\$2,690”.

(16) Third Schedule—

Repeal item 6**Substitute**

- “6. (a) Allocation of ordinary niche (each niche)..... \$ 2,600
- (b) Extendable ordinary niche allocated for an initial term of 20 years extendable for further terms of not more than 10 years (rule 21C(2))—
- (i) initial allocation \$ 4,000
- (ii) for each extension \$ 2,000”.

(17) Third Schedule—

Repeal item 6A**Substitute**

- “6A. (a) Allocation of family niche (each niche)..... \$ 31,420
- (b) Extendable family niche allocated for an initial term of 20 years extendable for further terms of not more than 10 years (rule 21D(2))—
- (i) initial allocation..... \$ 16,000
- (ii) for each extension..... \$ 8,000”.

(18) Third Schedule, item 7—

Repeal

“\$5,200”

Substitute

“\$7,780”.

- (19) Third Schedule, after item 7—

Add

“7A. Allocation of family garden for
ashes \$ 209,440

7B. Each subsequent reception or disposal
of ashes at family garden for ashes
(each set of ashes) \$ 2,690”.

- (20) Third Schedule, item 8—

Repeal

“\$2,000”

Substitute

“\$2,990”.

- (21) Third Schedule, item 9—

Repeal

“\$800”

Substitute

“\$1,200”.

- (22) Third Schedule, item 10—

Repeal

“\$1,600”

Substitute

“\$2,390”.

- (23) Third Schedule, item 11—

Repeal

“\$10,000”

Substitute

“\$14,960”.

- (24) Third Schedule, item 12—

Repeal

“\$100”

Substitute

“\$150”.

- (25) Third Schedule, item 13—

Repeal

“\$200”

Substitute

“\$300”.

- (26) Third Schedule, after item 13—

Add

“13A. Multiple deposit in extendable
ordinary niche or extendable family
niche (each set of ashes) \$ 300”.

- (27) Third Schedule, item 14—

Repeal

“\$140,000”

Substitute

“\$209,440”.

- (28) Third Schedule, item 15—

Repeal

“\$1,500”

Substitute

“\$2,240”.

- (29) Third Schedule, item 16(a)—

Repeal

“\$3,000”

Substitute

“\$4,490”.

- (30) Third Schedule, item 16(b)—

Repeal

“\$50”

Substitute

“\$70”.

- (31) Third Schedule, item 17—

Repeal

“\$80”

Substitute

“\$120”.

Alice MAK
Chairman,
The Board of Management of the
Chinese Permanent Cemeteries

Louis K. Y. MAK
Secretary,
The Board of Management of the
Chinese Permanent Cemeteries

27 May 2025

Explanatory Note

The major amendments to the Chinese Permanent Cemeteries Rules (Cap. 1112 sub. leg. A) by these Rules are explained below.

Introduction of extendable niches

2. Rule 10 adds new rules 21C, 21D, 21E, 21F and 21G to the Chinese Permanent Cemeteries Rules to introduce extendable niches.

Introduction of family gardens for ashes

3. Rule 6 adds a new Part 3A consisting of rules 19A and 19B to the Chinese Permanent Cemeteries Rules to introduce family gardens for ashes.

Shortening time for reversion of vacant lots and niches

4. Rules 5, 8 and 9 amend rules 18, 21 and 21B of the Chinese Permanent Cemeteries Rules respectively to shorten time for reversion of vacant ordinary and subscriber lots, and ossuary, ordinary and family niches.

Power to dispose of the ashes from mass exhumation

5. Rule 4 amends rule 14A of the Chinese Permanent Cemeteries Rules to empower the Board to dispose of the ashes from mass exhumation.

Subsequent deposit of skeletal remains or ashes to free ossuary niches

6. Rule 7 amends rule 20 of the Chinese Permanent Cemeteries Rules to enable subsequent deposits of skeletal remains or ashes of other deceased in free ossuary niches.

Miscellaneous amendments

7. Rules 3 and 11 amend rules 3 and 22 of the Chinese Permanent Cemeteries Rules respectively to introduce technical amendments.
8. Rule 12 amends the Third Schedule to the Chinese Permanent Cemeteries Rules to provide for fees in relation to allotment, extension of term, multiple deposit or subsequent reception or disposal of ashes in extendable niches and the family garden for ashes and the reversion of the same. The rule also amends the Third Schedule to increase existing fees.