



27 September 2010

Miss Kitty Choi,
Deputy Secretary (Food) 1
Food and Health Bureau
20/F, Murray Building
Garden Road, Hong Kong

Dear Kitty,

**Views on the Issues Raised in the
Consultation Paper on Review of Columbarium Policy**

Members of the Board of Management of the Chinese Permanent Cemeteries (BMCPC) have discussed the issues raised in the Consultation Paper on Review of Columbarium Policy issued by the Food and Health Bureau (FHB). Members' views are summarized as below:

(a) General Issues

- 1) Niches provided by the BMCPC had accounted for about 28% of cremations in the last ten years as indicated in the Consultation Paper. To maintain this percentage of supply of affordable niches to the general public for the coming years and to clear its current backlog of queues waiting for available niches, the BMCPC would need to acquire land to build new cemetery / columbarium facilities.
- 2) While the BMCPC would continue to expand columbarium facilities within its existing cemeteries as far as practicable, the longer-term solution must be a large scale increase in niche supply (such as building new facilities on new sites) and this would require support from various Government bureaux.

(b) Site Development

- 1) The future columbarium design should be aesthetically pleasant and in harmony with the adjacent environment (e.g. cemetery in the form of a memorial park that would offer various facilities to the public, other than just the columbarium buildings) to minimize public resistance.
- 2) The BMCPC is aware of the proposal to convert industrial buildings for columbarium development as an additional option for provision of niches. However, as the execution details are not clearly spelled out in the Consultation Paper, Members of the BMCPC suggest that clear policy and guidelines in relation to conversion of industrial buildings into columbaria should be established by FHB and relevant Government departments. The Board suggests that existing Government-owned industrial buildings and new Government land for industrial use should be re-allocated to interested parties for niches development.
- 3) The BMCPC is interested in developing columbarium facilities in the 12 sites identified in the Document, in particular Sites No. 1, 8, 9 and 10 in view of their proximity to the Board's existing cemeteries. The BMCPC would urge the Government to complete the re-zoning of these sites for columbarium development before allocation to non-governmental operator(s).
- 4) In addition to the 12 sites identified by FHB, the Board would be willing to explore the possibility of developing other potential sites, including Tuen Mun Area 46 and landfill sites, and acting as the project proponent to carry out on them sustainable and optimum green development. The Board would be willing to work with the Government on building new cemeteries or columbaria if suitable land could be identified.

(c) Operation Related Issue

- 1) The BMCPC has reservation on the proposal of recycling of niches by introducing a time-limited lease (20 years as suggested in the document) / annual management fee, as these go against the traditional Chinese culture of “laying the deceased to rest” (入土為安) and the Board’s founding principle of providing **permanent** cemeteries to the deceased. It is not respectful to the deceased and it may not be accepted by the general public on ethical grounds.
- 2) If an annual management fee for columbarium facilities (including urn grave facilities) was introduced, it would incur cumbersome administrative work and associated costs for fee collection. Because of the large number of columbarium facilities involved, the chances of not being able to collect the fees would be high. In the longer run, it may also generate problems of how to collect the unpaid administration fees and who are to be liable for payment if the permittees of the niches have passed away.
- 3) It would be very difficult to enforce an incentive scheme for the return of niches as it would involve a fundamental change to the prevailing practice of not giving any refund/reward for return of niches/burial lots by the permittee of the niches. According to the Chinese tradition, one would refrain from disturbing the deceased and depositing the deceased more than once unless deemed absolutely necessary. Hence, the return rate of niches for re-use would not be high unless the ex-gratia allowance is set at a very attractive level. In this case, the supply of reverted niches would be limited and there would still be long queues for reverted niches. In addition, it would have legal implications if there are disputes among the descendants on the return of niches. The idea of offering incentive for the return of niches should therefore be studied and handled with care.

- 4) To meet public demand, the Board is continuously looking at building more niches within its four existing cemeteries to increase our supply of niches to the public. The Board will also seek to facilitate transformation of social traditions by encouraging the public to use alternative means of handling cremains, such as scattering cremains in Gardens of Remembrance (GoRs). The Board is actually working on a plan on the provision of GoR service. The Board is also collecting views from its clients on the Board's provision of on-line worship as an alternative means of paying tribute to the deceased.

(d) Others (licensing and regulation)

- 1) The Administration should clarify whether the proposed licensing scheme would only cover existing unauthorized private columbaria, or would it be applicable to the BMCPC as the Board is also subject to the current Private Cemeteries Regulation (Cap. 132).
- 2) The licensing of the columbarium trade should be handled with care as this may affect the status of a great number of niches which have already been occupied.

Yours sincerely,



(Thomas C Y TSE)
for Chairman of The Board of Management of
the Chinese Permanent Cemeteries