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To ccc@fhb.gov.hk  
cc Paul Zimmerman <@designinghongkong.com>  
bcc

Subject Re: Licensing Scheme for Private Columbaria

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30/03/2012 23:24

30 March 2012

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Food Branch, Food and Health Bureau,  
17/F, East Wing, Central Government Offices,  
2 Tim Mei Avenue, Tamar,  
Hong Kong

By email: [ccc@fhb.gov.hk](mailto:ccc@fhb.gov.hk)

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Dear Sir, -

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**Re: Licensing Scheme for Private Columbaria**

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Designing Hong Kong Limited is a not-for-profit organization and our objects are:

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- 1.—— To promote the health, safety, convenience and the general, social, and economic welfare of the community of Hong Kong today, WITHOUT COMPROMISING the future;
- 2.—— To identify ways and means of enhancing the quality and sustainability of Hong Kong's living environment for the health, safety, convenience and welfare of residents and visitors;
- 3.—— To undertake research and studies into the design and development of Hong Kong's
- 4.—— living environment;

4.----- living environment;

5.----- To educate and raise the awareness among the community on the need to protect and enhance the living environment of Hong Kong, and the ways and means to do so;

6.----- To form alliances among members of the community with a common interest in protecting and enhancing the living environment of Hong Kong, and

7.----- To undertake any and all lawful acts and deeds which are necessary and conducive to attaining our objectives

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We welcome the initiatives taken by the Bureau to review the columbaria policy and regulate the licensing scheme for private columbaria, our comments and suggestions as below.

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#### **-Private Columbaria Licensing Board**

1.----- We are concerned over the ratio of official and non-official members in the Board, and also the tenure of appointment and reappointed.

2.----- The selected or appointed members should be well experience in resolving the disputes between the applicants/ operators and public who lived in the vicinity of these columbaria.

3.----- The Board should adopt an active role in dealing reported suspected illegal columbarium; provide deterrent measure to stop further illegal columbaria activities.

4.----- Frequency of Board meeting should be listed. Except the deliberation part, all meetings' agendas, minutes and audio records should be opened to public.

#### **License for Operating Private Columbaria**

5.----- Para 4.5 of the Consultation document, it lists that "for new columbaria which come into being after the commencement of the licensing scheme, will require the operator to operate on self-owned premises", and "for pre-existing private columbarium which does not run on self-owned premises, the operator will be required to prove that he has the right to continue to use the premises/ site involved for at least five years". We welcome the aforesaid measures to ensure the long term guarantee for consumers and their ancestors.

6.----- We would like to remark that the columbaria development in Po Toi and Ma Sha Chau involved unauthorized issues. It should remark that any granted license for the captioned sites are actually condoning the act of "destroy first, develop later" and override the intension of the Private Columbarium Ordinance.

7.----- For the mechanism, the License Authority should operate in an open and transparent manner. Public should be given the opportunities to express their views on applications for a license including all relevant details. Period for public comments should also be listed, and all commenters must be responded to

8.----- What is the relationship between an application for a license and a planning application? Which one should go first?

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#### **-Exemption from the Licensing Scheme**

9.----- Para 5.2 to 5.14 in the consultation document shows the targets and detailed criteria for exemption. Period for exemption has not been listed. We suggest reviewing the exemption regularly to prevent any loopholes for the suggested mechanism.

10.----- Existing cemeteries should be included under the scheme.

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#### **Temporary Suspension from Liability**

11.----- We hope that the “one-off situation” for temporary suspension from liability should be stringent enforced.

12.----- For the benefit of customers, a web portal should be established to show the status of all columbaria in Hong Kong on a map:

- Location of private and public

- Licenses status for private columbaria (Granted/ exempted/ temporary suspension) -

#### **Transition, Appeals, Sanctions and Timetable**

13.----- We urge the Private Columbaria Ordinance can be enforced as early as possible.

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Other measures to remedy imminent problems occur in the industry should be taken in response to public aspirations and needs.

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Herewith we so submit for your consideration.

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**Designing Hong Kong Limited**

**-March 2012**



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**Designing Hong Kong Limited**  
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