

No columbarium objections so far, health official says

Cheung Chi-fai

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A senior health official says none of the district council chiefs he has consulted so far has rejected proposals for a new columbarium in their neighbourhood - as the government's push to get its plans accepted by local politicians got under way.

The remarks by Professor Gabriel Leung, undersecretary for food and health, came a day after a new columbarium policy was revealed by the Food and Health Bureau. Its purpose is to boost the supply of public niches, to meet an overwhelming demand and regulate private operators through a licensing system.

Twelve sites in seven districts - three in Kwai Chung, two in Sha Tin and others in North district, Eastern district, Tuen Mun, Cheung Chau and Mui Wo - have been shortlisted to build columbariums to supply an unspecified number of public niches.

Leung said some district council chairmen he had spoken to had an open mind on the subject.

"None of them has rejected us right away. In fact, some of them told us they feel they have obligations to share the responsibility," he said.

Leung said he was cautiously optimistic about winning the final support of the district councils, noting that the districts wanted well-designed niche facilities with well-thought-out infrastructures.

The battle plan to win the support of locals in the targeted districts will be unveiled this afternoon, when officials brief Kwai Tsing District Council about their proposals. The district has three shortlisted sites, one sitting on an old waste incinerator site, one on a site southeast of the incinerator and another one close to a cemetery.

However, Eddie Tse Sai-kit, a spokesman for a columbarium concern group, said he doubted the government could push the proposals through quickly enough to ease the niche shortages. "These new proposals, to be realised in an unknown time frame, will in no way address the urgent problem of niche shortage we are facing now," he said.

The new niches would all be spoken for by the time they were completed because at least 40,000 people join the queue for niches every year, he said.

In coming months, the government will also issue two separate lists of private columbarium operators - those who comply with and those who fail to meet planning rules and land lease conditions. Operators on both lists will have to meet licensing conditions yet to be spelled out by the government or face the prospect of being shut down.



Reprieve for illegal columbariums Licensing system still several years away, government officials say

Cheung Chi-fai and Joyce Ng

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Operators of illegal columbariums are likely to enjoy a few more years of business free from the worry of regulations, because it will be several years before a licensing system comes into force.

The licensing scheme will be part of a new columbarium policy that aims to boost public niche supply by providing land in seven districts to meet demand, and administrative means such as annual fees for niches to increase niche circulation. However, a three-month public consultation must be held and licensing laws will take years to complete.

In the next few months the Development Bureau will issue two lists of private columbarium operators to help consumers identify trustworthy operators. The first will list operators who satisfy statutory planning requirements and land lease conditions and the other will detail those whose legality the bureau believes is in doubt.

Officials said the first would list about 30 operators although they said that inclusion on the list was not an absolute guarantee that operators would fulfil licensing conditions eventually to be spelt out by the Food and Health Bureau in new laws.

These will include regulations on planning and land-lease compliance, fire prevention, traffic and the environment, contribution to overall niche supply and consumer protection.

Dr York Chow Yat-ngok, secretary for food and health, said the licensing system, to be run by the Food and Environmental Hygiene Department, was complicated and it would take two to three years to work out details and amend the law.

"Legislation for the smoking ban also took three to four years to complete," he said. "While we don't want to drag things on for too long, it is also not healthy to rush things."

Under proposed licensing laws, existing operators could apply for a temporary licence for up to 30 months during which they could upgrade themselves to meet licensing conditions.

That means that illegal operators will in theory have up to five to six years to carry on their business from now unless they are immediately held responsible for planning and land lease breaches.

Chow said officials could not at present do anything to stop operators from taking on new business.

A Lands Department official said the department was still seeking legal advice on how to legally settle land lease disputes - centred on what constitutes a definition of human remains - with operators. But no timetable had been set.

Operators who failed to meet conditions would be shut down and the government would not pay for things such as relocating urns, Chow said.

Officials have shortlisted 12 sites in seven districts that could become public columbariums, and initial responses from local politicians seem to be positive. But there are no estimates of how many niches they might provide.

"Increasing supply is the key to putting things back on track," Chow said. "If we can provide the land and boost supply, the private sector will shrink accordingly."

No new public niches will become available until 2012 when 41,000 will be created in Wo Ho Shek cemetery and 50,000 will be built by charity and religious groups. Officials estimate about 49,200 people will be cremated annually till 2029.

Officials also proposed local residents will get priority to secure niches in their districts.

Officials have blamed the current shortage of niches on opposition to the provision of about 240,000 niches in the past five years in various districts.

Tuen Mun district councillor Chan Wan-sang said he would not object to a new columbarium near the Lung Kwu Tan power plant, as it was less disturbing than a crematorium, a proposal the government had withdrawn after residents' protests.

Leung Chi-shing, a councillor in Kwai Tsing district, also said he would support the plan to build a columbarium at the old site of an incinerator, where few people live.

But Lau Wai-lun, a councillor in Sha Tin, had reservations about such a facility at Shek Mun as the site was only about a 15-minute walk from a public housing estate. The government should consult residents first, he said.

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Time limit proposed to help increase supply

Cheung Chi-fai

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A time limit and management fee system could be introduced for ownership of new public niches under a plan to increase supply.

To encourage people who do not want to permanently keep niches, health officials are also proposing an ex-gratia allowance as an incentive to promote their return.

These measures, which secretary for food and health Dr York Chow Yat-ngok admitted were controversial, are being put forward for a three-month consultation along with a package of measures to boost niche supply and regulate the private columbarium business.

"We have talked to officials in charge of columbariums in Singapore and Tokyo and we were told that about 70 to 80 per cent of the niches are unattended after three to four decades," Chow said.

Health officials said some countries had a time limit, such as 20 years, for urn storage in public niches and families had to seek renewal on a regular basis when the limit expires. Failing to renew means the niches would be vacated.

Apart from a time limit, relatives might also face an annual management fee on top of the existing lump sum.

If the management fee is not paid for a number of years and the relatives cannot be contacted, the niches will be vacated and the urns moved to a communal repository, or the ashes could be scattered in gardens of remembrance.

Officials said it was too early to say how the fee levels should be set but overseas and mainland experience indicated that they were effective in reallocating niches.

St James Settlement social worker Gary Sham Chi-wing said the measures might not be welcomed by elderly people who have no children.

"For some elderly people, their biggest wish is to have their ashes safely kept in a place without the need of further relocation. If they are to be removed anyway, it means they have no choice but scattering their ashes in the first place."

Sham said the proposed management fee might also become a financial burden for elderly people who are already living on dole.

He also said a financial incentive to encourage people to vacate niches might trigger disputes among family members over whether they should do so.

Protesters urge better licensing of urn niches

Adrian Wan

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A columbarium concern group staged a rally yesterday calling for a better licensing system and clarification of whether ashes are the same as human remains, ahead of the issue's discussion in Legco tomorrow.

More than 40 villagers held a forum at Statue Square in the afternoon before marching to the Central Government Offices. The group said the government had not adequately managed the recent growth of private columbariums in the city.

Eddie Tse Sai-kit, a spokesman for the group, criticised the lack of supervision over the location and fire safety provisions of private columbariums. The group called for a better licensing system and a ban on columbariums that do not meet requirements.

Civic Party lawmaker Tanya Chan said it would become increasingly difficult for the government to move private columbariums as more people in the city bought urn niches from them. She called for swift legislation on the issue.

Tse criticised the government's solution of allowing illegal columbariums to change their land use status so that they met requirements.

"They should not have been allowed to build them at all," he said. "This is like encouraging businessmen to take advantage wherever they possibly can."

Last week, the Executive Council did not endorse the proposed policy at its weekly meeting and was believed to be seeking more information from the Food and Health Bureau before making a decision.

Health officials led a task force on the policy and have indicated they plan to propose a licensing system. But the details have yet to be spelt out. The policy is expected to allow a transition period for suspected illegal operators to upgrade their facilities to meet licensing

conditions such as fire safety and transport access, and to comply with land lease requirements. The policy will also outline plans to boost niche supply to ease shortages as all public columbariums are almost full. A list of legal operators might also be issued to the public.

The definition of ashes is at the root of the problem of unauthorised columbarium development in rural areas and new towns because of confusion over what constitutes human remains.

The Lands Department says ashes are human remains and therefore the old lease and land grant conditions do not allow columbarium development. But columbarium operators say the definition of human remains does not include ashes.