

CONTROLLING OFFICER'S REPLY

FHB(FE)288

(Question Serial No. 3574)

Head: (49) Food and Environmental Hygiene Department

Subhead (No. & title): (-) Not specified

Programme: (2) Environmental Hygiene and Related Services

Controlling Officer: Director of Food and Environmental Hygiene (Miss Vivian LAU)

Director of Bureau: Secretary for Food and Health

Question:

It is mentioned in Matters Requiring Special Attention in 2020-21 under this Programme that the Department will “continue to implement the Private Columbaria Ordinance by supporting the Private Columbaria Licensing Board in processing applications for a licence or other specified instruments for operating a private columbarium, and taking enforcement actions under the Ordinance”. Please advise this Committee on the following:

In 2020-21, what are the manpower and expenditure earmarked for supporting the work of the Licensing Board? As at February 2020, how many applications were received by the Licensing Board? How many applications for a licence from private columbaria have been processed? How many applications have been refused? For those private columbaria whose applications have been refused, how many niches are involved? What is the progress of examination of the licence applications at present? What difficulties have been encountered? What is the estimated time required for completing the examination?

Asked by: Hon HO Chun-yin, Steven (LegCo internal reference no.: 8)

Reply:

The expenditure of the Private Columbaria Licensing Board (PCLB) and the manpower for providing executive support for the PCLB are included in the estimated expenditure of the Private Columbaria Affairs Office (PCAO) of the Food and Environmental Hygiene Department. In 2020-21, the PCAO will have about 70 staff and the estimated expenditure is \$83.6 million.

As at 29 February 2020, PCLB has granted 5 licences; approved in principle 2 licence applications and 1 application for a temporary suspension of liability; refused 15 sets of applications for specified instruments (including 12 licence applications); and was processing 288 applications for specified instruments. The refusal cases, excluding the 4 private columbaria with appeals being processed, involved around 2 300 sets of ashes.

The time the PCLB takes to process a licence application depends on the actual circumstances of the case, particularly on whether the private columbarium has complied

with all the requirements for licence application stipulated in the Private Columbaria Ordinance (Cap. 630) and those specified by the PCLB (including the requirements relating to planning, land, buildings, fire safety, electrical and mechanical safety, management plan, right to use the premises, environmental protection, etc.) and whether the applicant has submitted sufficient documents to prove that the private columbarium has complied with the requirements. Upon receiving the documents or information required for an application, the PCAO will invite the relevant departments to provide comments. The applicant will then be asked to take the necessary follow-up actions and submit reports, which will be forwarded to the relevant departments for their vetting. After confirming that a licence application has complied with the application requirements, the PCAO will arrange for the submission of the application to the PCLB for determination.

The regulatory regime of private columbaria is an unprecedented system established from scratch. The processing of applications for specified instruments involves the settling of problems of historical legacy and time is required for various parties concerned to explore how to finalise the arrangement details at the early stage of implementation. The PCLB has provided guidelines and templates to help applicants and relevant departments understand the requirements and has continuously enhanced the guidelines and mechanisms in the light of actual experience. The PCAO will continue to liaise closely with the applicants and the relevant departments, striving to assist the PCLB in expediting the vetting work.

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