

Enforcement actions against illegal hillside burial cases

The Home Affairs Department, the Food and Environmental Hygiene Department (FEHD) and the Lands Department (LandsD) today (July 14) took enforcement action in the Permitted Burial Ground (PBG) of Tai Tau Chau in Sai Kung (SK/52) against illegal hillside burial. One urn was removed and the human remains inside will be reburied at Sandy Ridge Cemetery.

The FEHD and the LandsD posted notices on 20 unauthorised graves/urns located within the PBG of Tai Tau Chau on March 29, 2021, and required the owners of the graves/urns concerned to cease the occupation of the government land and to contact relevant government departments before April 29, 2021, or else the human remains inside the graves/urns concerned would be removed and reburied at Sandy Ridge Cemetery. At the expiration of the period, one urn remained unclaimed. The Government thus commenced the clearance operation today.

The Government has been implementing a pilot scheme on the management of PBGs in individual PBGs since 2016. Taking into account the actual circumstances of each PBG, the Government has been implementing appropriate improvement measures, including erecting boundary pillars for the PBGs, conducting record surveys of existing graves and urns, imposing restrictions on the size of burial sites and demarcating available spaces in PBGs for new applications of burial sites, in order to ensure that the places of burials are within PBGs. The pilot scheme has now been extended to 15 PBGs, covering nine administrative districts in the New Territories.

The Government has examined the data obtained from the pilot scheme earlier and decided to commence follow-up actions against illegal burials in the PBGs. Relevant government departments will take enforcement action in phases starting by handling illegal burials in the PBG of Tai Tau Chai in Sai Kung under the first phase of the pilot scheme. Actions against illegal burials in the PBGs of Sam Mun Tsai (TP/E7) and Tong Kai Tseng (TP/E13) in Tai Po will be further commenced before the coming Chung Yeung Festival.

A Government spokesman reiterated that, according to the Land (Miscellaneous Provisions) Ordinance (Cap. 28) of the laws of the Hong Kong Special Administrative Region, it is an offence when any person occupying Government land, otherwise than under permission from the Authority, does not cease the occupation as required by a notice prescribed by the Ordinance. Any property or structure on the occupied government land may be demolished and removed by the Government, and the occupier may be prosecuted. Furthermore, according to the Public Health and Municipal Services Ordinance (Cap. 132) under the laws of the Hong Kong Special Administrative Region, it is an offence to bury human remains without permission in writing of the Authority. Offenders are liable to prosecution, and the human remains inside the graves concerned will be removed.