

Enforcement actions against illegal hillside burial cases

The Home Affairs Department, the Food and Environmental Hygiene Department (FEHD) and the Lands Department (LandsD) today (January 5) launched enforcement action in the Permitted Burial Grounds (PBGs) of Sam Mun Tsai (TP/E7) and Tong Kai Tseng (TP/E13) in Tai Po against illegal hillside burial. It is anticipated that 28 illegal graves/urn houses/urns will be removed in about three days and the human remains in them will be reburied at Sandy Ridge Cemetery.

The FEHD and the LandsD posted notices on 32 unauthorised graves/urn houses/urns located within the PBGs of Sam Mun Tsai and Tong Kai Tseng on September 23 last year, and required the related persons of the graves/urn houses/urns concerned to cease occupation of the government land and to contact relevant government departments before October 24 last year, or else the human remains inside the graves/urn houses/urns concerned would be reburied at Sandy Ridge Cemetery. At the expiration of the period, 28 graves/urn houses/urns 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 in phases. The operation this time is the second operation subsequent to the first enforcement operation conducted in the PBG of Tai Tau Chau (SK/52) in Sai Kung in July last year. The Government will continue its follow-up actions, including planning to post notices on other unauthorised graves/urn houses/urns before Ching Ming Festival.

A Government spokesman reiterated that, according to the Land (Miscellaneous Provisions) Ordinance (Cap. 28), 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), 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.