

**Information and undertaking submitted to
the Private Columbaria Licensing Board
regarding application to the Government
for waiving the regularisation fees in respect of “pre-cut-off sold niches”
for compliance with the land-related requirements
by a pre-cut-off columbarium seeking a licence**

Name of Columbarium: _____

Address of Columbarium: _____

Name of Licence Applicant: _____

Information on the niches sold before 8 a.m. on 18 June 2014 (the cut-off time)¹:

Total number of niches: _____

Total number of sets of ashes that may be interred: _____

I am the licence applicant of the above columbarium. I understand that for application for waiving the regularisation fees in respect of the “pre-cut-off sold niches”, the above columbarium must be eligible for a licence in all other respects (with the exception of the land-related requirements). I hereby submit an application to the Government for waiving the regularisation fees in respect of the “pre-cut-off (i.e. 8 a.m. on 18 June 2014) sold niches” (details of which are listed in **Appendices A, B and C (in triplicate)**) on behalf of the above private columbarium seeking a licence.

I confirm that all niches listed in **Appendices A, B and C** have met the following criteria:

- They were sold by the pre-cut-off columbarium before 8 a.m. on 18 June 2014 (the cut-off time)

¹ “Pre-cut-off sold niches” include niches in a religious ash pagoda in which ashes were interred before the cut-off time (irrespective of whether or not these are in respect of religious practitioners or whether or not these are free of charge).

- At or after the cut-off time:
 - they have **not** been resold (i.e. sold by the persons who bought the niches before the cut-off time to other persons);
 - there have been **no** changes to the names of the purchasers;
 - (where no dedicated person has been named) the dedicated person must be the purchaser himself/herself or his/her relative; or
 - (where a dedicated person has been named) the dedicated person **has not been** changed (unless the newly named dedicated person is a relative of the original dedicated person).

[“Relative” has the meaning assigned to it by section 6(2) of Schedule 5 to the Private Columbaria Ordinance (the Ordinance).]

I undertake that if the above application for waiving the regularisation fees is approved by the Government, I shall comply with the following restrictions on the niches listed in **Appendices A, B and C** in the above columbarium:

- (a) For those partially filled or unfilled niches, replacing the name of a dedicated person where his/her ashes have yet to be interred with another person is only limited to his/her relative [in accordance with the definition of “relative” in section 6(2) of Schedule 5 to the Ordinance].
- (b) For filled niches, if any interred ashes are removed subsequently in the future (e.g. claimed back by descendants), such vacated niches are not allowed to be “refilled”.
- (c) After the interment of ashes in the niches referred to in item (a), the restriction set out in item (b) will become applicable to these niches.
- (d) The imposition of additional fees beyond the amounts specified in the agreements for the sale of interment right of the niches is not permitted.

I hereby confirm the following:

[the consent in writing of all purchasers of the niches listed in **Appendices A, B and C** to the restrictions set out in items (a) to (c) above has been obtained.]*

[the following measures have been implemented:

- (i) a letter was sent on _____ to all persons who bought the niches listed in **Appendices A, B and C** before the cut-off time (whose contact information is available) to obtain their written consent to the restrictions set out in items (a) to (c) above;
- (ii) a notice in the format specified in Annex 27 of the Application Guide was published at least once a week in a Chinese newspaper and an English newspaper for 2 consecutive weeks between _____ and _____, and posted at a conspicuous place outside the main entrance of the columbarium(The original of the notice is attached); and

(iii) no objection in writing from those who bought the niches listed in **Appendices A, B and C** before the cut-off time to the imposition of the restrictions set out in items (a) to (c) above has been received by the expiry of 3 months after the issue of the notice referred to in item (ii).]*

I undertake that I shall take full responsibility for any claims, demands for compensation, legal actions or complaints made or taken against the Government or the Private Columbaria Licensing Board (PCLB) arising from my compliance with the restrictions set out in items (a) to (d) above or the approval granted to the above application for waiving the regularisation fees, including handling all such claims, demands for compensation, legal actions or complaints, bearing all relevant costs and compensating the Government or the PCLB for all losses they may suffer.

I consent to the PCLB to promulgate on the Internet or in other manners that the PCLB thinks fit to the public of the number and other relevant information (such as the location and serial numbering of the niches) of the niches in the columbarium which will be covered by the waiver of the regularisation fees and subject to the restrictions set out in items (a) to (d) above.

I understand that it is an offence to provide information that is false or misleading in a material particular in, or in connection with, an application made under the Ordinance in respect of a columbarium or to furnish the Director, an authorised officer or a public officer with information under the Ordinance knowing that it is false or misleading in a material particular. Any person who commits the above-mentioned offence(s) under section 99 of the Ordinance is liable on conviction to a fine of \$500,000 and to imprisonment for 2 years.

Date (dd / mm / yyyy)

Name and Signature of the Licence Applicant
(if the applicant is a natural person) /
Authorized Person / Authorized Partner *

Hong Kong Identity Card /
Travel Document Number*

Chop of Body Corporate / Partnership*
(if applicable)

* Please delete where appropriate.