

**《公眾墳場規例》**  
**(第 132 章，附屬法例 BI)**  
**Public Cemeteries Regulation**  
**(Cap. 132 sub. leg. BI)**

版本日期  
**Version date**  
 25.4.2013

**經核證文本**  
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(《法例發布條例》(第 614 章)第 5 條)  
 (Legislation Publication Ordinance (Cap. 614), section 5)

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條文 Provision	頁數 Page number	最後更新日期 Last updated date
主體 Main	1—24	25.4.2013
附表 1 Schedule 1	S1-1—S1-4	25.4.2013
附表 2 Second Schedule	S2-1—S2-2	30.6.1997

**尚未實施的條文 / 修訂 ——**

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**Provisions / Amendments not yet in operation ——**

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### 制定史

本為 1960 年 A154 號政府公告 —— 1972 年第 206 號法律公告，1973 年第 21 號，1977 年第 292 號法律公告，1979 年第 79 號法律公告，1980 年第 40 號法律公告，1983 年第 50 號法律公告，1986 年第 10 號，1986 年編正版，1987 年第 307 號法律公告，1991 年第 158 號法律公告，1992 年第 304 號法律公告，1994 年第 185 號法律公告，1995 年第 285 號法律公告，1996 年第 (C)36 號法律公告 (中文真確本)，1996 年第 177 號法律公告，1996 年第 273 號法律公告，1997 年第 27 號，1997 年第 259 號法律公告，1997 年第 362 號法律公告，1999 年第 78 號，2013 年第 1 號編輯修訂紀錄

### Enactment History

Originally G.N.A. 154 of 1960 — L.N. 206 of 1972, 21 of 1973, L.N. 292 of 1977, L.N. 79 of 1979, L.N. 40 of 1980, L.N. 50 of 1983, 10 of 1986, R. Ed. 1986, L.N. 307 of 1987, L.N. 158 of 1991, L.N. 304 of 1992, L.N. 185 of 1994, L.N. 285 of 1995, L.N. (C) 36 of 1996 (Chinese authentic version), L.N. 177 of 1996, L.N. 273 of 1996, 27 of 1997, L.N. 259 of 1997, L.N. 362 of 1997, 78 of 1999, E.R. 1 of 2013

**《公眾墳場規例》**  
**(第 132 章，附屬法例 BI)**

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**Public Cemeteries Regulation**  
**(Cap. 132 sub. leg. BI)**

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**《公眾墳場規例》***(1999 年第 78 號第 7 條)**(第 132 章第 116 條)**[1960 年 12 月 23 日]**(格式變更——2013 年第 1 號編輯修訂紀錄)*

1. *(由 1999 年第 78 號第 7 條廢除)*

2. **釋義**

在本規例中，除文意另有所指外——*(1999 年第 78 號第 7 條)*  
**公眾墳場** (public cemetery) 指本條例附表 5 第 1 部所指明的任何墳場；

**署長** (Director) 指食物環境衛生署署長；*(1999 年第 78 號第 7 條)*

**遺骸** (human remains) 指人類屍體或非活產嬰兒的屍體或其任何部分，但不包括該等屍體經火化後剩下的骨灰。*(1996 年第 273 號法律公告)*

*(1996 年第 273 號法律公告；2013 年第 1 號編輯修訂紀錄)*

3. **公眾墳場的編配及布局設計**

署長可——

- (a) 指示將任何特定的公眾墳場或某個公眾墳場的任何部分，撥作或編配作安葬特定人士的遺骸或安葬屬於任何特定社群、種族或宗教的人士的遺骸之用；及
- (b) 指示不得將任何特定人士的遺骸或屬於任何特定社群、種族或宗教的人士的遺骸，在任何特定的公眾

**Public Cemeteries Regulation***(78 of 1999 s. 7)**(Cap. 132, section 116)**[23 December 1960]**(Format changes—E.R. 1 of 2013)*

1. *(Repealed 78 of 1999 s. 7)*

2. **Interpretation**

In this Regulation, unless the context otherwise requires— *(78 of 1999 s. 7)*

**Director** (署長) means the Director of Food and Environmental Hygiene; *(78 of 1999 s. 7)*

**human remains** (遺骸) means the dead body or part thereof of any human being or any still-born child, but does not include ashes resulting from the cremation thereof; *(L.N. 273 of 1996)*

**public cemetery** (公眾墳場) means any cemetery specified in Part 1 of the Fifth Schedule to the Ordinance.

*(L.N. 273 of 1996; 78 of 1999 s. 7; E.R. 1 of 2013)*

3. **Allocations and lay-out of public cemeteries**

The Director may—

- (a) direct that any particular public cemetery or any part of a public cemetery be set aside or allocated for the reception of human remains of particular persons or of persons belonging to any particular community, race or religion; and

墳場或某個公眾墳場的任何特定部分內處置，以及指示該等遺骸須在其他公眾墳場或某個公眾墳場的其他部分內處置。

#### 4. 墳墓登記冊

- (1) 在每個公眾墳場，須備存一本由該墳場的主管人員保管的登記冊，其格式須如附表 1 所訂明的一樣，而冊內須記載關於存放在該墳場內的人類遺骸的詳情。
- (2) 第 (1) 款條文規定備存的每本登記冊，須備有複本，而在每個月終結時，必須將上月份登記冊內所作的記項的複本送交署長保管。
- (3) (a) 在公眾墳場向公眾開放的時間內，任何公眾人士均可在該墳場查閱在該墳場備存的登記冊，而署長所保管的複本，則可在向署長提出申請後在辦公時間內查閱。  
(b) 任何人如要求索取上述登記冊內任何記項的核證副本，可在繳付訂明費用後，向署長索取。 (1977 年第 292 號法律公告；1996 年第 273 號法律公告；1999 年第 78 號第 7 條)

#### 5. 在安葬時須出示的許可證或證明書

在公眾墳場內處置死者遺骸的主管人須在該遺骸安葬時，向

- (b) direct that the disposal of the human remains of any particular person, or the human remains of persons belonging to any particular community, race or religion, shall not take place in any particular public cemetery or any particular part of any public cemetery and that disposal thereof shall be effected in any other public cemetery or any other part of a public cemetery.

#### 4. Register of graves

- (1) At every public cemetery, in the custody of the officer in charge thereof, there shall be kept a register in the form prescribed in Schedule 1 containing particulars of the persons whose human remains are deposited in the cemetery.
- (2) Every register required to be kept by the provisions of subsection (1) shall be kept in duplicate, and, at the end of each month, the duplicate copy of the entries made therein during the preceding month shall be sent to the Director for custody.
- (3) (a) The register kept at any public cemetery may be inspected at the cemetery by the public at all times during which such cemetery is open to the public, and the duplicate copies kept in the custody of the Director may be inspected during office hours on application to him.  
(b) Any person requiring a certified copy of any entry in any such register may obtain the same from the Director upon payment of the prescribed fee. (L.N. 292 of 1977; L.N. 273 of 1996)

(78 of 1999 s. 7; E.R. 1 of 2013)

#### 5. Certain permits or certificates to be produced at time of interment

該墳場的主管人員出示以下與該遺骸有關的許可證或證明書——

- (a) 如該死者死於香港，而其遺體是首次安葬的——(1986 年第 10 號第 32(2) 條)
  - (i) 須出示由警務人員根據《生死登記條例》(第 174 章)第 16(1) 條的但書條文發出的許可證；
  - (ii) 須出示根據《生死登記條例》(第 174 章)第 17(1) 條條文發出的死亡登記證明書或死因裁判官命令；或
  - (iii) 如死者是非活產嬰兒，須出示根據《生死登記條例》(第 174 章)第 18 條條文發出或作出的證明書、聲明書或死因裁判官命令；或
- (b) 如屬其他情況，須出示署長授權安葬的書面准許。(1999 年第 78 號第 7 條)

#### 5A. 將公眾墳場內的遺骸等移走的權力

署長如認為需要，可從公眾墳場移走——

- (a) 未經署長批准而安葬的遺骸；或
- (b) 安葬於曾受山泥傾瀉、暴雨或天災影響的墳墓的遺骸或盛載該遺骸的棺木、甕盎或其他容器，(1997 年第 259 號法律公告)

並且以其認為適當而合乎體統的方式處置上述遺骸及盛載上述遺骸的棺木、甕盎或其他盛器。

(1996 年第 273 號法律公告；1999 年第 78 號第 7 條)

A person in charge of the disposal in a public cemetery of the human remains of any person shall, in relation to such remains, produce to the officer in charge of the cemetery at the time when the interment takes place—

- (a) in the case of a first interment of the body of any person dying in Hong Kong— (10 of 1986 s. 32(2))
  - (i) a permit of a police officer issued under the provisions of the proviso to section 16(1) of the Births and Deaths Registration Ordinance (Cap. 174);
  - (ii) a certificate of registration of death or of a Coroner's order issued under the provisions of section 17(1) of the Births and Deaths Registration Ordinance (Cap. 174); or
  - (iii) in the case of the body of a still-born child, a certificate, declaration or Coroner's order issued or made under the provisions of section 18 of the Births and Deaths Registration Ordinance (Cap. 174); or
- (b) in any other case, the permission in writing of the Director authorizing the interment. (78 of 1999 s. 7)

#### 5A. Power to remove human remains, etc. in public cemeteries

The Director may, as he deems necessary, remove from a public cemetery—

- (a) any human remains the interment of which has not been approved by the Director; or
- (b) any human remains and any coffin, urn or other receptacle containing such human remains interred in a grave which has been affected by landslide, rainstorm or natural disaster,

**6. 埋葬的時間**

- (1) 署長可在任何公眾墳場或其他地方，以其認為適當的方式張貼告示，藉以訂明該墳場接收死者遺骸的時間。
- (2) 如欲在香港墳場安葬任何死者的遺骸，處置該遺骸的主管人須給予該墳場的主管人員不少於 2 小時的通知，說明擬在何時安葬。 (1977 年第 292 號法律公告)

**7. 挖掘墳墓與建造墓穴等**

- (1) 任何非食物環境衛生署人員的人，不得未經該墳場的主管人員同意而在公眾墳場內挖掘或填塞任何墳墓，又如已獲得該主管人員同意，則有關工程須按照該主管人員的指示以及在其監督下進行。 (1999 年第 78 號第 7 條)
- (2) 除非獲得署長書面同意，並且按照其在給予同意時所施加的條件或限制而辦理，否則任何人不得在公眾墳場內建造任何並非墳墓的墓穴、作埋葬用途的壁龕或其他安葬地方。

**7A. 墓台的大小及安葬的限制**

and dispose of such human remains and any coffin, urn or other receptacle containing such human remains in such decent manner as he may think fit.

*(L.N. 273 of 1996; 78 of 1999 s. 7)*

**6. Times of burials**

- (1) The Director may prescribe, by notice posted in such manner as he may think fit at any public cemetery or other place, the times during which human remains may be received into the cemetery.
- (2) In the case of the interment of the human remains of any person in the Hong Kong Cemetery, the person in charge of the disposal of such remains shall give to the officer in charge of the cemetery not less than 2 hours' notice of the time at which it is intended that the interment shall take place. *(L.N. 292 of 1977)*

**7. Grave digging and construction of vaults, etc.**

- (1) No person, other than an officer of the Food and Environmental Hygiene Department, shall, in any public cemetery, dig or fill in any grave without the consent of the officer in charge of the cemetery, and, where such consent is given, the work shall be carried out in accordance with the directions, and subject to the supervision of such officer in charge of the cemetery. *(78 of 1999 s. 7)*
- (2) Save with the consent in writing of the Director and in accordance with any conditions or restrictions which he may impose on the grant thereof, no person shall, in any public cemetery, construct any vault, burial niche or other place of interment, not being a grave.

**7A. Size of grave covering and restriction on interments**



- (1) 除非獲得署長書面同意，並且按照附加於該同意的條件或限制（如有的話）辦理，否則任何人不得在公眾墳場內的墳墓穴口上，建造長度或闊度超過下述尺寸的墓台——
  - (a) 如墳墓是用以安葬已撿掘出的人類骸骨（但 (b) 段適用的個案除外）或用以安葬經火化後剩下的骨灰，則長度與闊度均為 900 毫米；
  - (b) 如墳墓所安葬的是根據《死因裁判官條例》（第 504 章）第 7 條撿掘出並重新安葬的人類遺骸，則以撿掘遺骸前該墳墓的尺寸為準；（1997 年第 27 號第 69 條）
  - (c) 如屬其他墳墓，則長度為 2 400 毫米，闊度為 900 毫米。
- (2) 任何人均無權就一具人類遺骸獲編配多於一幅墳墓用地，又除非已獲得署長書面同意，否則一幅墳墓用地不得安葬多於一具人類遺骸。
- (2A) 署長可以書面編配位於公眾墳場內的一幅墳墓用地，為一位或多於一位遺骸並非安葬在該墳墓用地的死者豎設紀念碑像、墓石或石碑，並可就此施加條件或限制。（1999 年第 78 號第 7 條）
- (3) 就第 (2) 及 (2A) 款而言，一幅墳墓用地的大小，須以署長依據其在當其時為有關墳場所訂政策而准許的大小為準。

*(1979 年第 79 號法律公告；1999 年第 78 號第 7 條)*

## 8. 紀念碑像及墓石等

- (1) Except with the consent in writing of the Director and in accordance with the conditions or restrictions (if any) attached to the consent, a person shall not, over a grave opening in a public cemetery, construct any covering the length or width of which exceeds the following dimensions—
  - (a) in the case of a grave for the interment of skeletal human remains resulting from exhumation (except where paragraph (b) applies) or of ashes after cremation, a length and width of 900 mm each;
  - (b) in the case of a grave in which human remains are re-interred after exhumation under section 7 of the Coroners Ordinance (Cap. 504), the dimensions of that grave before the exhumation; (27 of 1997 s. 69)
  - (c) in the case of any other grave, a length of 2 400 mm and a width of 900 mm.
- (2) No person shall be entitled to have allocated more than one grave space for one set of human remains, and, save with the consent in writing of the Director, not more than one set of human remains shall be interred in one grave space.
- (2A) The Director may, in writing and subject to such conditions or restrictions as he may impose, allocate a grave space in a public cemetery for the purpose of erecting monuments, headstones or tablets in respect of one or more deceased persons, without interring any human remains. (78 of 1999 s. 7)
- (3) For the purposes of subsections (2) and (2A), the size of a grave space shall be such as is permitted by the Director in pursuance of his policy for the time being for the cemetery in question.

*(L.N. 79 of 1979; 78 of 1999 s. 7)*

## 8. Monuments and headstones, etc.

- (1) 除非獲得署長書面同意，並且按照其在給予同意時所施加的條件或限制而辦理，否則任何人不得在公眾墳場的墳墓上豎設紀念碑像、墓石或石碑，或建造環繞或圍繞墳墓用地的欄杆、柵欄或圍繞物，或在該處種植任何樹木或灌木。 (1996 年第 273 號法律公告)
- (1A) 除非獲得署長書面同意，並且按照附加於該同意的條件或限制 ( 如有的話 ) 辦理，否則任何人不得在公眾墳場內豎設超過下述尺寸的紀念碑像、墓石或石碑 —— (1999 年第 78 號第 7 條)
- (a) 如屬在第 7A(1)(a) 條所提述的墳墓上豎設的紀念碑像，長度與闊度均為 900 毫米，而高度則為 1 500 毫米；
- (b) 如屬在第 7A(1)(b) 條所提述的墳墓上豎設的紀念碑像，長度與闊度均為 900 毫米，而高度則為 1 500 毫米，或在撿掘出遺骸前已合法地豎設在該墳墓上的紀念碑像的尺寸 ( 以較大者為準 )；
- (c) 如屬在其他墳墓上豎設的紀念碑像，長度為 1 800 毫米，闊度為 900 毫米，而高度則為 1 800 毫米；
- (d) 如屬墓石或石碑，闊度為 900 毫米，厚度為 150 毫米，而高度則為 1 500 毫米。 (1979 年第 79 號法律公告)
- (1B) 就第 (1A) 款而言，量度紀念碑像、墓石或石碑的高度須自周圍地面的最高點起計，並包括該紀念碑像、墓石或石碑的最高點，而量度長度及闊度則須包括該紀念碑像、墓石或石碑的橫向突出部分。 (1979 年第 79 號法律公告)
- (2) 凡署長同意在公眾墳場內種植樹木或灌木，該項同意須當作已受到以下條件的規限：該等樹木或灌木可由署長酌情決定予以剪短、修剪或移走。 (1996 年第 273 號法律公告)
- (3) 每個墳墓均須以永久形式加以編號，該編號須與第 4 條條文規定備存的登記冊內所載者相符，而每個紀念碑像、

- (1) Save with the consent in writing of the Director and in accordance with any conditions or restrictions which he may impose on the grant thereof, no person shall, in any public cemetery, erect a monument, headstone or tablet, upon any grave, or make any railing, fence or enclosure round or enclosing any grave space, or plant thereat any tree or shrub. (L.N. 273 of 1996)
- (1A) Except with the consent in writing of the Director and in accordance with the conditions or restrictions (if any) attached to the consent, a person shall not, in a public cemetery, erect a monument, headstone or tablet which exceeds the following dimensions— (78 of 1999 s. 7)
- (a) in the case of a monument erected over a grave referred to in section 7A(1)(a), a length and width of 900 mm each and a height of 1 500 mm;
- (b) in the case of a monument erected over a grave referred to in section 7A(1)(b), a length and width of 900 mm each and a height of 1 500 mm or the dimensions of the monument lawfully erected over the grave before the exhumation (whichever is the greater);
- (c) in the case of a monument erected over any other grave, a length of 1 800 mm, a width of 900 mm and a height of 1 800 mm;
- (d) in the case of a headstone or tablet, a width of 900 mm, a thickness of 150 mm and a height of 1 500 mm. (L.N. 79 of 1979; 78 of 1999 s. 7)
- (1B) For the purposes of subsection (1A), the measurement of the height of a monument, headstone or tablet shall be taken from the highest point of the surrounding ground and shall include the highest point of the monument, headstone or tablet, and the measurement of the length and width shall include any

墓石或石碑以及用以標明或圍繞墳墓的欄杆或圍繞物，則須穩固地置於地面中。

- (4) 任何紀念碑像、墓石或石碑的建造或形狀，不得令其本身或附近出現積水。
- (5) 在獲得署長書面同意前，不得將紀念碑像、墓石或石碑移走或更改，或在其上加上任何東西。
- (6) 任何紀念碑像、墓石或石碑以及用以標明或圍繞墳墓的欄杆或圍繞物，如由於疏忽或其他原因而變得破爛或需要修理，即可由署長酌情決定移走，並以其認為恰當的方式予以處置。
- (7) 就本條而言，任何墓石或石碑的文字、雕刻或肖像如非以下所述者，該墓石或石碑即當作為紀念碑像——
  - (a) 死者的姓名；
  - (b) 死者的出生地點；
  - (c) 死者的出生及死亡日期；
  - (d) 死者的肖像；及
  - (e) 豎設該墓石或石碑的家屬姓名。(1972 年第 206 號法律公告)

lateral projection from the monument, headstone or tablet. (L.N. 79 of 1979; 78 of 1999 s. 7)

- (2) Where the Director gives his consent to the planting in any public cemetery of any tree or shrub, such consent shall be deemed to have been given subject to the condition that the tree or shrub may be clipped, pruned or removed at the discretion of the Director. (L.N. 273 of 1996)
- (3) Every grave shall be numbered in a permanent form with a number corresponding to the number entered in the register required to be kept by the provisions of section 4, and every monument, headstone or tablet, and every railing or enclosure marking or enclosing any grave, shall be firmly seated in the ground. (78 of 1999 s. 7)
- (4) No monument, headstone or tablet shall be so constructed or shaped as to permit of the collection of water in or about it.
- (5) No monument, headstone or tablet shall be removed or altered, nor shall anything be added thereto, without the consent in writing of the Director.
- (6) Any monument, headstone or tablet, and any railing or enclosure marking or enclosing any grave, which, by reason of neglect or for any other reason, becomes dilapidated or in need of repair may, at the discretion of the Director, be removed and disposed of in such manner as he may think fit.
- (7) For the purposes of this section, a headstone or tablet containing any words, carvings or portraits other than— (78 of 1999 s. 7)
  - (a) the name of the deceased;
  - (b) his place of birth;
  - (c) the dates of his birth and death;
  - (d) a portrait of the deceased; and
  - (e) the name of the family erecting the headstone or tablet,

**8A. 將墓台、紀念碑像、墓石及石碑移走**

- (1) 在不抵觸第 (1A)、(2)、(3) 及 (4) 款的規定下，署長可將下述物件移走和處置——
  - (a) 在違反第 7A(1) 條的情況下於任何墳墓穴口上建造的墓台；或
  - (b) 在違反第 8(1)、(1A)、(3)、(4) 或 (5) 條的情況下於公眾墳場的任何墳墓上豎設、更改或增建的紀念碑像、墓石或石碑。 (1999 年第 78 號第 7 條)
- (1A) 第 (1) 款在下述情況不適用——
  - (a) 有關墓台是於 1979 年 3 月 23 日前，在位於在緊接本款的生效日期 \* 前稱為市政局轄區的地區的公眾墳場內的任何墳墓穴口上建造的，或有關紀念碑像、墓石或石碑是於該日期前在該等公眾墳場內的任何墳墓上豎設、更改或增建的；及
  - (b) 有關墓台是於 1979 年 3 月 2 日前，在位於在緊接本款生效 \* 前稱為區域市政局轄區的地區的公眾墳場內的任何墳墓穴口上建造的，或有關紀念碑像、墓石或石碑是於該日期前在該等公眾墳場內的任何墳墓上豎設、更改或增建的。 (1999 年第 78 號第 7 條)
- (2) 署長不得行使第 (1) 款的權力，除非署長已藉書面通知規定收件人修改有關的墓台、紀念碑像、墓石或石碑，使其符合本規例的規定，或規定收件人移走和處置該等物件，而所規定的修改或移走並沒有在該通知所容許的合理時間內作出。 (1999 年第 78 號第 7 條)
- (3) 根據第 (2) 款發出的通知，其收件人必須是姓名列於根據第 4 條備存的登記冊內的最近親 (該登記冊是關乎遺骸安葬在墳墓的死者，而該墳墓之上已建有、豎設或更改墓台、紀念碑像、墓石或石碑的)；至於該通知則須以郵遞方式按該登記冊所示地址寄給上述收件人。

shall be deemed to be a monument. (L.N. 206 of 1972)

**8A. Removal of grave coverings, monuments, headstones and tablets**

- (1) The Director may, subject to subsections (1A), (2), (3) and (4), remove and dispose of—
  - (a) any grave covering which has been constructed over a grave opening in contravention of section 7A(1); or
  - (b) any monument, headstone or tablet which has been erected upon any grave in a public cemetery or altered or added to in contravention of section 8(1), (1A), (3), (4) or (5). (78 of 1999 s. 7)
- (1A) Subsection (1) does not apply if the grave covering was constructed over a grave opening or the monument, headstone or tablet was erected upon a grave, or altered or added to—
  - (a) before 23 March 1979, in a public cemetery in the area known as the Urban Council area immediately before the commencement\* of this subsection; or
  - (b) before 2 March 1979, in a public cemetery in the area known as the Regional Council area immediately before that commencement\*. (78 of 1999 s. 7)
- (2) The power in subsection (1) shall not be exercised by the Director unless he has by notice in writing required the addressee of the notice either to modify the grave covering, monument, headstone or tablet so that it conforms with this Regulation, or to remove and dispose of the same, and the modification or removal has not been carried out within such reasonable time as may be allowed therefor in the notice.
- (3) The addressee of a notice under subsection (2) shall be the next of kin named in the entry in the register, kept under section 4, relating to any deceased person whose remains have been interred in the grave upon which the grave covering,



- (4) 上述通知亦須張貼在上述墓台、紀念碑像、墓石或石碑上的顯眼地方。
- (5) 任何人如依據第 (2) 款所指的通知而將墓台、紀念碑像、墓石或石碑修改、移走或處置，則有關工程須按照食物環境衛生署人員的指示以及在其監督下進行。(1999 年第 78 號第 7 條)
- (6) 如第 (3) 款所提述的登記冊內並沒有列出最近親的姓名，則署長可在不給予第 (2) 款所指通知的情況下行使第 (1) 款的權力。

(1979 年第 79 號法律公告)

編輯附註：

\* 生效日期：2000 年 1 月 1 日。

## 9. 政府或署長無須就物品的損失或損毀負上法律責任

在公眾墳場內的任何墳墓之上或之內或在其附近所放置的物品，不論是否可以移動，均須由其擁有人承擔風險，而政府或署長無須就該等物品的損失或損毀負上法律責任，不論該等損失或損毀是如何造成的。

(1996 年第 273 號法律公告；1999 年第 78 號第 7 條)

## 10. (由 1977 年第 292 號法律公告撤銷)

## 11. 行為及舉止

- (1) 未任何人不得在公眾墳場內 —— (1996 年第 273 號法律公告)

monument, headstone or tablet has been constructed, erected or altered, and the said notice shall be sent by post to the addressee at the address shown in the register.

- (4) The notice shall also be posted in some conspicuous place on the grave covering, monument, headstone or tablet.
- (5) Any person modifying, removing or disposing of a grave covering, monument, headstone or tablet pursuant to a notice under subsection (2) shall carry out the work in accordance with the directions, and subject to the supervision, of an officer of the Food and Environmental Hygiene Department.
- (6) If no next of kin is named in the register referred to in subsection (3), the Director may exercise the power in subsection (1) without giving notice under subsection (2).

(L.N. 79 of 1979; 78 of 1999 s. 7)

Editorial Note:

\* Commencement date: 1 January 2000.

## 9. Government or Director not liable for loss of or damage to articles

Any article, whether movable or immovable, which is placed above, inside, near or in the vicinity of any grave in a public cemetery shall be there at the risk of the owner of such article, and neither the Government nor the Director shall be liable for any loss of or damage to such article arising from any cause.

(L.N. 273 of 1996; 78 of 1999 s. 7)

## 10. (Revoked L.N. 292 of 1977)

## 11. Conduct and behaviour

- (1) No person shall, in any public cemetery— (L.N. 273 of 1996)

- (a) 未經署長同意而售賣、出租、或為出售或出租而展出任何物品或物件；
  - (b) 張貼、貼上或派發任何類別的傳單、卡片、通告或宣傳品；
  - (c) 舉行、宣傳或參與任何公眾集會，除非該集會屬於宗教或悼念性質，並與其遺骸已埋葬在該墳場內或已在該墳場內以其他方法予以處置的死者有關；
  - (d) 故意騷擾或擾亂任何喪禮、送殯行列或屬於宗教或悼念性質的集會；
  - (e) 發射任何火器，除非在軍事喪禮中恰當地進行；
  - (f) 故意或不小心地污損、毀壞、弄污或弄髒在該墳場或其任何部分內或圍繞該墳場或其任何部分的斜坡、牆壁或柵欄，或任何墳墓、墓穴、甕盎、作埋葬之用的壁龕、障礙物、欄杆、柱子、座位、界石、紀念碑像、墓石、石碑、裝飾物、樹木、灌木或作裝飾用途的植物；(1996 年第 273 號法律公告)
  - (g) 爬上在該墳場或其任何部分內或圍繞該墳場或其任何部分的牆壁或柵欄，或爬上任何樹木、障礙物、欄杆、柱杆、紀念碑像、墓石、石碑或裝飾物；
  - (h) 作出吵鬧或不當的舉止；
  - (i) 未獲得署長書面同意而挖掘土壤；或 (1996 年第 273 號法律公告；1999 年第 78 號第 7 條)
  - (j) 未獲得署長書面同意而組織、進行或參與製作任何電影。(1996 年第 273 號法律公告；1999 年第 78 號第 7 條)
- (2) 就本條而言，**電影** (film) 的涵義與《電影檢查條例》(第 392 章) 中該詞的涵義相同。(1996 年第 273 號法律公告)

- (a) sell or let for hire, or expose for sale or letting for hire, any article or thing without the consent of the Director;
  - (b) post, affix or distribute any handbill, card, circular or advertisement of any kind whatsoever;
  - (c) hold, promote or take part in any public meeting, other than a meeting of a religious or commemorative nature relating to the death of any person whose human remains have been buried or otherwise disposed of in the cemetery;
  - (d) wilfully disturb or interfere with any funeral service or procession or any religious or commemorative meetings;
  - (e) discharge any firearm, except in the proper performance of a military funeral;
  - (f) wilfully or carelessly deface, injure, soil or defile any slope, wall or fence in or enclosing the cemetery, or any part thereof, or any grave, vault, urn, burial niche, barrier, railing, post, seat, boundary stone, monument, headstone, tablet, ornament, tree, shrub or ornamental plant; (L.N. 273 of 1996)
  - (g) climb any wall or fence in or enclosing the cemetery, or any part thereof, or any tree, barrier, railing, pole, monument, headstone, tablet or ornament;
  - (h) behave in a noisy or unseemly manner;
  - (i) carry out any earth excavation without the written permission of the Director; or (L.N. 273 of 1996)
  - (j) organize, carry out or take part in making any film without the written permission of the Director. (L.N. 273 of 1996)
- (2) For the purpose of this section, **film** (電影) has the same meaning as in the Film Censorship Ordinance (Cap. 392). (L.N. 273 of 1996)

*(78 of 1999 s. 7)***12. 費用**

- (1) 除第 (2) 款另有規定外，埋葬人類遺骸、在墳墓上方或週圍設置紀念碑像或圍繞物以及建造墓穴或甕盎，均須向署長繳付訂明費用。 *(1999 年第 78 號第 7 條)*
- (2) 無須就安葬清貧者繳付費用。 *(1972 年第 206 號法律公告)*
- (3) *(由 1999 年第 78 號第 7 條廢除)*

**13. 罪行及罰則**

- (1) 任何人違反第 11 條的任何條文，即屬犯罪，一經循簡易程序定罪，可處第 2 級罰款。 *(1987 年第 307 號法律公告)*
- (2) 任何人——
  - (a) 沒有遵從署長根據第 3(b) 條條文給予的任何指示；
  - (b) 為了取得署長的准許，以便將任何死者的遺骸安葬在公眾墳場內，因而作出任何其知道或有理由相信要在要項上屬虛假的聲明或陳述； *(1999 年第 78 號第 7 條)*
  - (c) 違反第 7(1) 或 (2)、7A(1)、(2) 或 (2A)、8(1)、(1A) 或 (5) 或 8A(5) 條的任何條文；或 *(1979 年第 79 號法律公告；1999 年第 78 號第 7 條)*
  - (d) 沒有遵從署長根據第 7(2) 或 8(1) 條條文施加的任何條件或限制，  
即屬犯罪，一經循簡易程序定罪，可處第 3 級罰款。 *(1972 年第 206 號法律公告；1987 年第 307 號法律公告)*  
*(1996 年第 177 號法律公告)*

**12. Fees**

- (1) Subject to subsection (2), the prescribed fee is payable to the Director for the burial of human remains, the setting up of any monument or enclosure over or around any grave and the construction of any vault or urn. *(78 of 1999 s. 7)*
- (2) No fee shall be payable in respect of the interment of a pauper. *(L.N. 206 of 1972)*
- (3) *(Repealed 78 of 1999 s. 7)*

**13. Offences and penalties**

- (1) Any person who contravenes any of the provisions of section 11 shall be guilty of an offence and shall be liable on summary conviction to a fine at level 2. *(L.N. 307 of 1987)*
- (2) Any person who—
  - (a) fails to comply with any direction given by the Director under the provisions of section 3(b);
  - (b) for the purpose of obtaining the permission of the Director for the interment in a public cemetery of the human remains of any person, makes any declaration or statement which he knows, or has reason to believe, to be false in a material particular;
  - (c) contravenes any of the provisions of section 7(1) or (2), 7A(1), (2) or (2A), 8(1), (1A) or (5) or 8A(5); or *(L.N. 79 of 1979)*
  - (d) fails to comply with any conditions or restrictions imposed by the Director under the provisions of section 7(2) or 8(1),

**14. 就罪行提出法律程序時可用的名義**

在不損害與檢控刑事罪行有關的其他成文法則的條文，以及在不損害律政司司長關於檢控該等刑事罪行的權力的原則下，就本規例任何條文所訂罪行而作出的檢控，均可以署長的名義提出。

*(1997 年第 362 號法律公告；1999 年第 78 號第 7 條)*

shall be guilty of an offence and shall be liable on summary conviction to a fine at level 3. (*L.N. 206 of 1972; L.N. 307 of 1987*)

*(L.N. 177 of 1996; 78 of 1999 s. 7)*

**14. Name in which proceedings for offences may be brought**

Without prejudice to the provisions of any other enactment relating to the prosecution of criminal offences and without prejudice to the powers of the Secretary for Justice in relation to the prosecution of such offences, prosecutions for an offence under any of the provisions of this Regulation may be brought in the name of the Director.

*(L.N. 362 of 1997; 78 of 1999 s. 7)*



S1-1  
第 132BI 章

附表 1

Schedule 1

S1-2  
Cap. 132BI

## 附表 1

[第4(1)條]

## Schedule 1

[s. 4(1)]  
(78 of 1999 s. 7)

## 墳墓登記冊

在 ..... 墳場安葬個案登記冊

	墳場地段	
	墳墓編號	
	被葬者姓名 (正楷)	
	行業、專業或職業 (若為兒童, 則填寫其父母的行業、專業或職業)	
	被葬者年齡	
	被葬者性別	
	死亡日期	
	死亡登記編號或埋葬令編號	
	登記日期或埋葬令日期	
	死者生前的永久地址 (居所)	
	死亡發生的地址	
	安葬日期	
	殮葬商的姓名或名稱及地址	
	死者最近親的姓名及地址—— 如知悉者	
	誰人主持喪禮	
	日期	檢掘遺骸
	移往何處	
	檔案編號	
	備註	

## Register of Graves

REGISTER OF INTERMENT IN THE ..... CEMETERY

	Section of Cemetery
	Grave No.
	Name and surname of person buried (BLOCK LETTERS)
	Trade, profession or occupation (of the parents in the case of a child)
	Age of person buried
	Sex of person buried
	Date of death
	Death registration number or burial order number
	Date of registration or date of order to bury
	Permanent address of deceased (abode)
	Address at which death occurred
	Date of interment
	Name and address of undertaker
	Name and address of next of kin of deceased
	By whom the ceremony was performed
	Date
	For removal to
	File reference
	Remarks

S1-3  
第 132BI 章

附表 1

Schedule 1

S1-4  
Cap. 132BI

(1972 年第 206 號法律公告)

(L.N. 206 of 1972)

S2-1  
第 132BI 章

附表 2

Second Schedule

S2-2  
Cap. 132BI

## 附表 2

(由 1995 年第 285 號法律公告廢除)

## Second Schedule

*(Repealed L.N. 285 of 1995)*