

**《公眾殯儀廳規例》**  
**(第 132 章，附屬法例 BN)**  
**Public Funeral Halls Regulation**  
**(Cap. 132 sub. leg. BN)**

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**經核證文本**  
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**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 1978 年第 74 號法律公告 —— 1980 年第 41 號法律公告，1986 年第 10 號，1986 年編正版，1987 年第 313 號法律公告，1989 年第 76 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，1997 年第 362 號法律公告，1999 年第 78 號，2019 年第 4 號編輯修訂紀錄

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**《公眾殯儀廳規例》**  
**(第 132 章，附屬法例 BN)**

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**Public Funeral Halls Regulation**  
**(Cap. 132 sub. leg. BN)**

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**《公眾殯儀廳規例》**

(第 132 章第 123 條及 123C 條)

[1978 年 3 月 31 日]

(格式變更——2019 年第 4 號編輯修訂紀錄)

## 編輯附註：

本規例的名稱由《公眾殯儀廳（市政局）附例》修訂為《公眾殯儀廳規例》——見 1999 年第 78 號第 7 條。

**1-2.** (由 1999 年第 78 號第 7 條廢除)**3. 釋義**

在本規例中，除文意另有所指外——(1999 年第 78 號第 7 條)

**公眾殯儀廳** (public funeral hall) 指根據本條例第 123A 條所指定的殯房；

**主管** (officer in charge) 指由署長委任以管理或協助管理公眾殯儀廳的人；(1999 年第 78 號第 7 條)

**疫症** (quarantinable disease) 具有 \*《檢疫及防疫條例》(第 141 章) 第 2 條給予該詞的涵義；

**埋葬** (burial) 包括火葬；

**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) 指人類的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。

## 編輯附註：

\* 已廢除——見 2008 年第 14 號第 16 條。

**Public Funeral Halls Regulation**

(Cap. 132, sections 123 and 123C)

[31 March 1978]

(Format changes—E.R. 4 of 2019)

## Editorial Note:

The title of this Regulation was amended from “Public Funeral Hall (Urban Council) By-laws” to “Public Funeral Halls Regulation” — see 78 of 1999 s. 7.

**1-2.** (Repealed 78 of 1999 s. 7)**3. Interpretation**

In this Regulation, unless the context otherwise requires—

**burial** (埋葬) includes cremation;

**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.

**officer in charge** (主管) means a person appointed by the Director to manage or assist in the management of a public funeral hall; (78 of 1999 s. 7)

**public funeral hall** (公眾殯儀廳) means a mortuary designated under section 123A;

**quarantinable disease** (疫症) has the meaning assigned to it by section 2 of the \*Quarantine and Prevention of Disease Ordinance (Cap. 141).

(78 of 1999 s. 7)

**4. 開放時間**

公眾殯儀廳的主管可規定公眾殯儀廳可供公眾使用的時間及日期。

**5. 申請使用公眾殯儀廳**

- (1) 任何人如欲預訂使用公眾殯儀廳的任何設施，用以舉行喪禮或舉行與某人的死亡有關的宗教或悼念集會，均須——
  - (a) 事先用署長提供的適當表格向該公眾殯儀廳的主管提出書面申請，表格上須指明使用該等設施的目的；及
  - (b) 向署長繳付附表所列的訂明費用。(1999 年第 78 號第 7 條)
- (2) 第 (1)(a) 款所指的申請書，須於任何公眾殯儀廳的主管不時藉張貼在該殯儀廳的告示上所指示的時間內，送交該公眾殯儀廳。
- (3) 主管在收到第 (1)(a) 款所指的申請書後，可酌情決定而預留所申請的設施給申請人使用，並附加他認為適當的條件。
- (4) 主管如依據第 (3) 款行使酌情決定權，須受到署長認為適當而發出的概括指示或就特定個案而作的指示（如有該等指示的話）所規限。(1999 年第 78 號第 7 條)

**Section 4**

Editorial Note:

\* Repealed—see 14 of 2008 s. 16.

**4. Hours of opening**

The officer in charge of a public funeral hall may fix the hours during which, and the days on which, it shall be available for use by the public.

**5. Application to use public funeral hall**

- (1) Any person wishing to reserve the use of any of the facilities of a public funeral hall to conduct a funeral or to conduct a religious or commemorative meeting relating to the death of any person shall—
  - (a) make prior application in writing, on an appropriate form to be provided by the Director, to the officer in charge of such public funeral hall specifying the purpose for which it is required; and
  - (b) pay to the Director the prescribed fee set out in the Schedule.
- (2) Applications under subsection (1)(a) shall be received at a public funeral hall between such times as the officer in charge may from time to time direct by notice posted in such public funeral hall.
- (3) Upon receipt of an application under subsection (1)(a) the officer in charge may in his discretion reserve to the applicant the use applied for subject to such conditions as he may think fit.
- (4) The exercise of any discretion by the officer in charge pursuant to subsection (3) shall be subject to such directions, if any, either general or in any particular case, as the Director may think fit to issue.

**6. 接收與保留遺骸**

- (1) 任何人不得將已甚為腐爛的遺骸送入公眾殯儀廳，除非該遺骸放在密封的棺木內。
- (2) 任何人不得將遺骸留在公眾殯儀廳內超過 48 小時，除非該遺骸放在密封的棺木內或經過防腐處理。
- (3) 除非獲得市政總署署長的書面准許，否則任何人不得將任何遺骸留在公眾殯儀廳內超過 7 天。

**7. 為使遺骸獲得接收而須出示的文件**

- (1) 第 5(1) 條所指的申請人，須於公眾殯儀廳接收遺骸時向主管出示以下文件——
  - (a) 如將任何在香港死亡的人的遺骸安葬，須出示死亡證明書，或由警務人員根據《生死登記條例》(第 174 章) 第 16(1) 條的但書發出的許可證；或
  - (b) 如將任何在香港死亡的人的遺骸火葬，則須出示由衛生署署長根據《火葬及紀念花園規例》(第 132 章，附屬法例 M) 第 5(1) 條發出的許可證及死亡證明書；或 (1986 年第 10 號第 32 條；1989 年第 76 號法律公告；2019 年第 4 號編輯修訂紀錄)
  - (c) 如屬其他情況，則須出示署長所規定的文件。(1999 年第 78 號第 7 條)
- (2) 第 (1) 款所指明的文件須由主管保留，直至遺骸被移離公眾殯儀廳以進行埋葬或其他獲授權進行的處置方法為止，屆時該等文件須交還出示文件的人。
- (3) 就第 (1) 款而言，**死亡證明書** (death certificate) 指根據《生死登記條例》(第 174 章) 第 17(1) 條發出的死亡登記證明

(78 of 1999 s. 7)

**6. Reception and retention of human remains**

- (1) No person shall bring into any public funeral hall any human remains in an advanced state of decomposition unless encoffined in a hermetically sealed coffin.
- (2) No person shall leave in any public funeral hall any human remains for a longer period than 48 hours unless the same are encoffined in a hermetically sealed coffin or are embalmed.
- (3) Save with the permission in writing of the Director, no person shall leave in any public funeral hall any human remains whatsoever for longer than 7 days.

**7. Production of documents for reception of human remains**

- (1) An applicant under section 5(1) shall produce to the officer in charge when any human remains are received into a public funeral hall—
  - (a) in the case of interment of any human remains of a person who has died in Hong Kong, a death certificate or a permit of a police officer issued under the proviso to section 16(1) of the Births and Deaths Registration Ordinance (Cap. 174); or
  - (b) in the case of cremation of any human remains of a person who has died in Hong Kong, a permit granted by the Director of Health under section 5(1) of the Cremation and Gardens of Remembrance Regulation (Cap. 132 sub. leg. M) and a death certificate; or (10 of 1986 s. 32; L.N. 76 of 1989; E.R. 4 of 2019)
  - (c) in any other case, such documents as the Director may require.
- (2) The documents specified in subsection (1) shall be retained by the officer in charge until the human remains are removed

書或死因裁判官的命令，或根據《生死登記條例》(第 174 章) 第 18 條發出或作出的證明書、聲明書或死因裁判官的命令。

#### 8. 為遺骸進行防腐或預備工作

- (1) 如須在公眾殯儀廳內為遺骸進行防腐，或進行埋葬、入殮或火葬前的預備工作，則必須在專為此用途而設的房間內進行。
- (2) 在遺骸存放在上述房間的整段期間內，必須將該房間的窗戶完全開啟，如該房間的通風設備全部或部分以機械方式操作，則通風系統須不停操作。

#### 9. 使用防護衣物

- (1) 如任何人知道或相信某人死亡時患有疫症，或主管知道或相信有此事，則不得在公眾殯儀廳內搬動該死者的遺骸，或為該遺骸進行防腐、預備或處理的工作，除非該人先行穿上橡膠圍裙或署長批准的其他類型防護衣物，並戴上橡膠手套。(1999 年第 78 號第 7 條)
- (2) 上述橡膠圍裙、防護衣物及橡膠手套，以及用以存放上述遺骸或就上述遺骸進行防腐、預備或處理工作的公眾殯儀廳任何部分，在使用後須立即消毒。

from the public funeral hall for burial or other authorized disposal when they shall be returned to the person producing them.

- (3) For the purposes of subsection (1) **death certificate** (死亡證明書) means a certificate of registration of death or a coroner's order issued under section 17(1) of the Births and Deaths Registration Ordinance (Cap. 174) or a certificate, declaration or coroner's order issued or made under section 18 of the Births and Deaths Registration Ordinance (Cap. 174).

(78 of 1999 s. 7)

#### 8. Embalming or preparation of human remains

- (1) No human remains shall be embalmed or prepared for burial or encoffining in any public funeral hall otherwise than in a room set aside exclusively for such purpose.
- (2) At all times during which any human remains are retained in any such room, the windows thereof shall be kept fully opened or, if the room is ventilated wholly or partly by mechanical means, the ventilating system shall be kept in operation.

#### 9. Use of protective clothing

- (1) No person shall, in any public funeral hall, handle, or carry out any process of embalming, preparing or treating, the human remains of any person who, to the knowledge or belief of such person or of the officer in charge, died while suffering from a quarantinable disease, unless he is wearing a rubber apron, or other protective clothing of a type approved by the Director, and rubber gloves. (78 of 1999 s. 7)
- (2) Any such rubber apron, protective clothing and rubber gloves and any part of a public funeral hall where those remains



**10. 登記冊及提供資料的義務**

- (1) 公眾殯儀廳主管須保存一本以中文或英文書寫的登記冊，並在其內記錄第 (2) 款所列的詳情及——
  - (a) 該公眾殯儀廳接收任何遺骸的日期及時間；及
  - (b) 任何遺骸被移離該公眾殯儀廳的日期及時間。
- (2) 第 5 條所指的申請人須向公眾殯儀廳主管提供以下詳情——
  - (a) 申請人的姓名或名稱及地址；
  - (b) 死者的姓名及地址；
  - (c) 死者的年齡或大約年齡；
  - (d) 死者的性別；
  - (e) 死者死亡的日期、地點及死因；
  - (f) 死亡證明書的日期及編號，以及將死者遺骸埋葬、火葬、運入香港或運出香港（視屬何情況而定）的許可證的日期及編號；
  - (g) 就死者的死亡而加以證明的醫生（如有的話）的姓名及地址，以及簽署將死者遺骸埋葬、火葬、運入香港或運出香港（視屬何情況而定）的許可證的人的姓名及地址；
  - (h) 將死者遺骸在移離公眾殯儀廳後作最後處置的方法，及其地點（視下述何者適用而定）——
    - (i) 墳場名稱，及墓地、葬地或墳墓的編號；或
    - (ii) 火葬場名稱；及
  - (i) 如死者死亡時患有疫症，公眾殯儀廳內曾存放該死者遺骸的地方在該遺骸移走後是否已作消毒。

were kept, embalmed, prepared or treated shall be disinfected immediately after use.

**10. Registers and obligation to provide information**

- (1) The officer in charge of a public funeral hall shall keep a register in English or Chinese in which there shall be recorded the particulars listed in subsection (2) together with—
  - (a) the date on, and the time at, which any human remains were received into the public funeral hall; and
  - (b) the date on, and the time at, which any human remains were removed from the public funeral hall.
- (2) An applicant under section 5 shall furnish to the officer in charge of a public funeral hall the following particulars—
  - (a) the name and address of the applicant;
  - (b) the name and address of the deceased;
  - (c) the age or approximate age of the deceased;
  - (d) the sex of the deceased;
  - (e) the date, place and cause of death of the deceased;
  - (f) the date and number of the death certificate and of any permit for the burial, cremation, import to or removal from Hong Kong, as the case may be, of the remains of the deceased;
  - (g) the name and address of the medical practitioner (if any) who certified as to the death of the deceased, and of the person signing any permit for burial, cremation, import to or removal from Hong Kong, as the case may be, of the remains of the deceased;
  - (h) the method by which, and, as appropriate—
    - (i) the cemetery and space plot or grave number; or
    - (ii) the crematorium,



**11. 着令某些人離開公眾殯儀廳的權力**

- (1) 主管或就此獲其授權的人，可在下述情況下指示任何人立即離開公眾殯儀廳或其任何部分——
  - (a) 他有理由相信該人已犯或即將犯根據本規例可予懲處的罪行；或 (1999 年第 78 號第 7 條)
  - (b) 該人拒絕服從該名主管或該名獲授權的人為促進該公眾殯儀廳的妥善管理而發出的合理命令。
- (2) 任何被主管依據第 (1) 款指示離開公眾殯儀廳的人如沒有離開，即屬犯罪，除可被處以該人可被懲處的刑罰外，亦可由主管酌情決定而立即被逐出該公眾殯儀廳或其任何部分。

**12. 罪行及罰則**

- (1) 任何人在任何公眾殯儀廳內——

**Section 11**

where, the remains of the deceased will be finally disposed of after removal from the public funeral hall; and

- (i) if the deceased died while suffering from a quarantinable disease, whether or not those parts of the public funeral hall in which the remains of the deceased were kept were disinfected after such remains were removed therefrom.

*(78 of 1999 s. 7)*

**11. Power to reject persons**

- (1) The officer in charge, or any person authorized by him in that behalf, may direct any person forthwith to leave a public funeral hall or any part thereof—
  - (a) whom he has reason to believe has committed or is about to commit an offence punishable under this Regulation; or
  - (b) who refuses to obey any reasonable order given by him in furtherance of the proper management of the public funeral hall.
- (2) Any person who fails to leave a public funeral hall when so directed by the officer in charge pursuant to subsection (1) commits an offence and may, in addition to any penalty to which he may become liable, forthwith be removed from the public funeral hall or any part thereof at the discretion of the officer in charge.

*(78 of 1999 s. 7)*

**12. Offences and penalties**

- (1) Any person who, in any public funeral hall—

- (a) 未得署長書面同意而售賣、出租、要約出售、要約出租、為出售或為出租而展示任何物品或物件；  
(1999 年第 78 號第 7 條)
  - (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（但為死者舉行宗教或悼念性質的集會則不在此限）；
  - (d) 故意騷擾或擾亂任何喪禮或屬於宗教或悼念性質的集會；
  - (e) 吐痰（但如吐在為此用途而設的容器，或廁所，或吐在為排除污水、廢水或排泄物而設的溝渠或排水渠內，則不在此限）；或
  - (f) 作出吵鬧或不當的舉止，衣着不恰當或衣着不適宜，即屬犯罪，一經循簡易程序定罪，可處第 2 級罰款。
- (2) 任何人違反第 6(1)、6(2)、6(3)、7(1)、8(1)、8(2)、9(1)、9(2) 或 10(2) 條，即屬犯罪，一經循簡易程序定罪，可處第 2 級罰款。
- (1987 年第 313 號法律公告；1996 年第 177 號法律公告)

### 13. 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，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)

### 14. 費用

- (a) sells or lets for hire, or offers or exposes for sale or letting for hire, any article or thing without the written consent of the Director;
  - (b) posts, affixes or distributes any handbill, card, circular or advertisement of any kind whatsoever;
  - (c) holds, promotes or takes part in any public meeting, other than a meeting of a religious or commemorative nature in respect of the dead;
  - (d) wilfully disturbs or interferes with any funeral service or any religious or commemorative meeting;
  - (e) spits, except into a receptacle provided for such purpose or toilet, or into a channel or drain provided for the carriage of sewage, waste water or excretal matter; or
  - (f) behaves in a noisy or unseemly manner or is improperly or inadequately clad,
- commits an offence and is liable on summary conviction to a fine at level 2.
- (2) Any person who contravenes section 6(1), 6(2), 6(3), 7(1), 8(1), 8(2), 9(1), 9(2) or 10(2) commits an offence and is liable on summary conviction to a fine at level 2.

(L.N. 313 of 1987; L.N. 177 of 1996; 78 of 1999 s. 7)

### 13. Name in which proceedings for offences may be brought

Without prejudice to 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 this Regulation may be brought in the name of the Director.

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

### 14. Fees

- (1) 附表第 2 欄所列的訂明費用，為要求提供附表第 1 欄所列有關服務時須向署長繳付的費用。 *(1999 年第 78 號第 7 條)*
  - (2) *(由 1999 年第 78 號第 7 條廢除)*
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- (1) The prescribed fees set out in the second column of the Schedule shall be payable to the Director for the appropriate services listed in the first column of the Schedule. *(78 of 1999 s. 7)*
  - (2) *(Repealed 78 of 1999 s. 7)*
-

S-1

附表

第 132BN 章

Schedule

S-2

Cap. 132BN

## 附表

[ 第 14 條 ]

租用 1 間屍體化裝室	每具遺骸 \$150
租用 1 間靈寢室	每 24 小時或不足 24 小時均為 \$200
租用 1 個大型殯儀禮堂，其範圍在署長所簽署並存放於主管辦公室內的圖則上以綠色顯示（如擬將遺骸埋葬）	首 1 小時及以後每小時或不足 1 小時均為 \$300
租用 1 個大型殯儀禮堂，其範圍在署長所簽署並存放於主管辦公室內的圖則上以綠色顯示（如擬將遺骸火葬）	首 1 小時及以後每小時或不足 1 小時均為 \$150
租用 1 個小型殯儀禮堂，其範圍在署長所簽署並存放於主管辦公室內的圖則上以棕色顯示（如擬將遺骸埋葬）	首 1 小時及以後每小時或不足 1 小時均為 \$200
租用 1 個小型殯儀禮堂，其範圍在署長所簽署並存放於主管辦公室內的圖則上以棕色顯示（如擬將遺骸火葬）	首 1 小時及以後每小時或不足 1 小時均為 \$100

(1980 年第 41 號法律公告；1999 年第 78 號第 7 條；2019 年第 4 號編輯修訂紀錄)

## Schedule

[s. 14]

Use of one body dressing room	\$150 for each human remains
Use of one reposing room	\$200 for each 24 hours or part thereof
Use of one large service hall, as shown green on a plan signed by the Director and deposited in the office of the officer in charge where the remains of the deceased are intended for burial	\$300 for the first hour, and for each hour or part of an hour thereafter
Use of one large service hall, as shown green on a plan signed by the Director and deposited in the office of the officer in charge where the remains of the deceased are intended for cremation	\$150 for the first hour, and for each hour or part of an hour thereafter
Use of one small service hall, as shown brown on a map signed by the Director and deposited in the office of the officer in charge where the remains of the deceased are intended for burial	\$200 for the first hour, and for each hour or part of an hour thereafter
Use of one small service hall, as shown brown on a map signed by the Director and deposited in the office of the officer in charge where the remains of the deceased are intended for cremation	\$100 for the first hour, and for each hour or part of an hour thereafter

(L.N. 41 of 1980; 78 of 1999 s. 7; E.R. 4 of 2019)