

**立法會**  
***Legislative Council***

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Date : 6 April 2017

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

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**Council meeting on 12 and 13 April 2017**

**Private Columbaria Bill**

**Committee stage amendments**

The Second Reading debate on the above Bill will be resumed at the Council meeting on 12 and 13 April 2017. Subject to the Bill receiving Second Reading, the President has given permission for the Secretary for Food and Health to move Committee stage amendments (“CSAs”) to the Bill.

2. As directed by the President, the CSAs are attached for Members’ consideration.

(Boris LAM)  
for Clerk to the Legislative Council

Encl.

## Private Columbaria Bill

### Committee Stage

#### Amendments to be moved by the Secretary for Food and Health

<u>Clause</u>	<u>Amendment Proposed</u>
2(1)	<p>In the definition of <b><i>approved plans</i></b>, by deleting everything after “means” and substituting—</p> <p>“__</p> <p>(a) plans approved under section 25 (as read with section 26(3), if applicable) in respect of the columbarium that are, on the issue of a specified instrument in respect of the columbarium, annexed to the instrument; or</p> <p>(b) if such plans are varied under section 40A, the plans as varied;”.</p>
2(1)	<p>In the definition of <b><i>ashes</i></b>, by deleting paragraph (b) and substituting—</p> <p>“(b) includes the container of such ashes, as well as any items interred together with such ashes in the same container (if applicable), except for the following provisions—</p> <p>(i) section 66(2A)(d)(iv) and (v);</p> <p>(ii) the definitions of <b><i>eligible claimant</i></b> and <b><i>related item</i></b> in section 6(2) of Schedule 5; and</p> <p>(iii) sections 9A, 9B(4)(b)(i) and 10(4) of Schedule 5;”.</p>
2(1)	<p>In the Chinese text, in the definition of 安放, in paragraph (a)(ii), by deleting “裝載”.</p>

- 2(1) By adding in alphabetical order—
- “*approved management plan* (經批准管理方案),** in relation to a columbarium, means—
- (a) the management plan required under section 17(2) that is approved for the purpose of an application for the issue of a licence in respect of the columbarium; or
  - (b) if such a plan is varied under section 40A, the plan as varied;
- endorsed register* (經批註登記冊),** in relation to a pre-cut-off columbarium, means—
- (a) a register required under section 23 that is endorsed and attached to the approved plans of the columbarium, as referred to in section 25(3)(b); or
  - (b) if such a register is varied under section 40A or updated under section 54(2)(a), the register as varied or updated;
- in force* (有效),** in relation to a specified instrument—see section 15A;”.
- 2(5)
- (a) In paragraph (a), by deleting “; or” and substituting a semicolon.
  - (b) By adding—
    - “(ab) any area other than a niche used for the interment of ashes; or”.
  - (c) In paragraph (b), by adding “, or the area referred to in paragraph (ab),” after “paragraph (a)”.
- 2(7)(a) By deleting everything after “building works” and substituting—
- “—
- (i) that contain niches used or intended to be used for the interment of ashes; or
  - (ii) that are otherwise used for the interment of ashes; or”.

- 8(2) By adding “, administration” after “constitution”.
- 11(2)(a) By deleting “; and” and substituting “; or”.
- 12 In the definition of *ash interment layout*, in paragraph (b), by deleting “if a licence is applied for or is issued in respect of the columbarium—”.
- 12 In the definition of *ash interment quantity*, in paragraph (b), by deleting “if a licence is applied for or is issued in respect of the columbarium—”.
- 15 By deleting subclause (6).
- New By adding—
- “15A. Specified instrument in force despite certain events**
- (1) A specified instrument remains in force despite a suspension under section 39 if all the requirements, terms and conditions imposed by the Licensing Board upon suspending the instrument (*suspension requirements*) are complied with.
- (2) For the purposes of sections 45, 57 and 68, a specified instrument is also regarded as in force despite a suspension under section 39 even if the suspension requirements are not complied with.
- (3) A specified instrument remains in force despite the expiry of its validity period if—
- (a) the following application was made before the expiry—
- (i) an application under section 14 for the renewal or extension of the instrument; or
- (ii) an application under section 38 for the transfer of the instrument; and

- (b) the instrument expires before the Licensing Board determines the application.
- (4) However, the specified instrument remains in force only until the earlier of the following—
  - (a) the determination of the application;
  - (b) the occurrence of any of the following events—
    - (i) the withdrawal of the application;
    - (ii) the revocation of the instrument under section 39;
    - (iii) if the instrument is a licence—the expiry of the term referred to in section 15(2)(a)(i) or (ii);
    - (iv) if the instrument is an exemption—the expiry of the term referred to in section 15(3)(a) or (b).
- (5) A specified instrument remains in force despite the death or dissolution of its holder.
- (6) In this section—

*specified instrument* (指明文書), in relation to a specified instrument that is a licence, does not include any authorization under the licence to sell interment rights.”.

- 19(2) By deleting everything after “subsection (1)(b)” and substituting—
- “if the applicant proves to the satisfaction of the Licensing Board that—
- (a) the increase in the ash interment quantity since the cut-off time is caused only by sets of ashes interred in the columbarium before the enactment date (*new sets of ashes*); and
  - (b) each new set of ashes is either—
    - (i) ashes interred or to be interred in a niche, where the interment right in respect of the niche was sold before the cut-off time; or
    - (ii) ashes interred in a religious ash pagoda (as defined

by section 55(14)), where no fees, charges or other sums were paid, or are payable, for the interment of ashes.”.

- 20(2)(a)(ii) By adding “the beginning of” before “the enactment date”.
- 20(4) By deleting everything after “subsection (2)(a)(iii)” and substituting—
- “if the applicant proves to the satisfaction of the Licensing Board that—
- (a) the increase in the ash interment quantity since the cut-off time is caused only by sets of ashes interred in the columbarium before the enactment date (*new sets of ashes*); and
  - (b) each new set of ashes is either—
    - (i) ashes interred or to be interred in a niche, where the interment right in respect of the niche was sold before the cut-off time; or
    - (ii) ashes interred in a religious ash pagoda (as defined by section 55(14)), where no fees, charges or other sums were paid, or are payable, for the interment of ashes.”.
- 25(1)(a) By deleting everything after “satisfied that” and substituting—
- “either—
- (i) the current site situation of the columbarium premises conforms to the plans in all respects including the particulars specified in subsection (2); or
  - (ii) if not, the difference identified on the plans (as required under section 24(4)(b)) is not contradictory to the particulars to be authorized or permitted as mentioned in paragraph (b); and”.
- 26(1)(c) By deleting everything after “liability” and substituting—
- “\_\_

- (i) the ash interment quantity as at the cut-off time; and
  - (ii) if the applicant wishes the Licensing Board to apply section 19(2) or 20(4)—the ash interment quantity as at the beginning of the enactment date;”.
- 26(2)
  - (a) By deleting “the plans required under section 24,” and substituting “showing the particulars required under section 24(3), the plans accompanying”.
  - (b) By deleting “be accompanied by a set of plans that”.
- 26(3) In the Chinese text, by deleting “事宜” (wherever appearing) and substituting “詳情”.
- 27(1)(d) By deleting “(c)” and substituting “(c)(i)”.
- 29(c) By deleting “management plan approved for the purposes of section 17(2) in respect” and substituting “approved management plan”.
- 38(2) By deleting “(5) and (8)” and substituting “(4A) and (5)”.
- 38 By adding—
  - “(4A) The Licensing Board may also refuse an application for the transfer of an instrument referred to in subsection (1) if—
    - (a) a notice of revocation or suspension has been given by the Licensing Board under section 39 in respect of the instrument; or
    - (b) an application for the renewal or extension of the instrument has been refused.”.
- 38(6) In the English text, by deleting “Licencing” and substituting “Licensing”.

- 38 By deleting subclause (8).
- 39(1) By deleting “subsection (2)” and substituting “subsections (2) and (2A)”.
- 39 By adding—
- “(2A) The Licensing Board may also exercise the powers under subsection (1)(d) if the Licensing Board considers it necessary or expedient to do so for the better regulation, supervision or control of the columbarium concerned.”.
- New By adding—
- “40A. Variation of approved plans, endorsed registers, etc.**
- (1) The Licensing Board may, in the circumstances specified in subsection (3), vary any of the particulars or matters specified in subsection (2) in respect of a columbarium.
- (2) The particulars or matters are—
- (a) the following particulars shown in the approved plans of a columbarium—
- (i) particulars specified in section 25(2) that are authorized or permitted by the specified instrument in respect of the columbarium;
- (ii) particulars specified in section 26(1);
- (iii) particulars specified in section 26(3);
- (b) particulars contained in an endorsed register of a pre-cut-off columbarium; or
- (c) matters covered in the approved management plan of a columbarium.
- (3) The Licensing Board may vary a particular or matter in respect of a columbarium under subsection (1)—
- (a) if, at the time when the Licensing Board



considers exercising the power in respect of the columbarium, circumstances exist that would have entitled the Licensing Board to approve or endorse the plans, register or management plan with the particulars or matters as varied had it been necessary to determine at that time whether to approve or endorse the plans, register or management plan; or

(b) if the Licensing Board considers that the variation is necessary or expedient for the better regulation, supervision or control of the columbarium.

(4) If the Licensing Board varies any particular or matter in respect of a columbarium under subsection (1), the Licensing Board must notify the person holding the specified instrument in respect of the columbarium in writing of—

(a) the Licensing Board's decision;

(b) the reasons for the decision; and

(c) the date on which the decision is to take effect.”.

41(1) By adding “or 40A(1)” after “section 39(1)”.

46 In the heading, by adding “**Division 1 of**” before “**Part 5**”.

51(1) In the English text, by deleting “plans in respect of” and substituting “plans of”.

52(2) (a) By deleting “sections 53 and 55” and substituting “subsection (2A)”.

(b) By deleting “or temporary suspension of liability”.

(c) By deleting “material time” and substituting “cut-off time”.

52

By adding—

“(2A) The holder of an exemption does not contravene subsection (2) if—

- (a) any increase in the total number of sets of ashes since the cut-off time is caused only by—
  - (i) sets of ashes interred in the columbarium before the enactment date; or
  - (ii) sets of ashes interred in the columbarium under section 53 or 55; and
- (b) for each set of ashes mentioned in paragraph (a)(i), it is either—
  - (i) ashes interred or to be interred in a niche, where—
    - (A) the interment right in respect of the niche was sold before the cut-off time; and
    - (B) the name of the dedicated person has been entered into an endorsed register; or
  - (ii) ashes interred in a religious ash pagoda (as defined by section 55(14)), where no fees, charges or other sums were paid, or are payable, for the interment of ashes.

(2B) Subject to subsection (2C), the holder of a temporary suspension of liability in respect of a pre-cut-off columbarium must ensure that the number of sets of ashes kept in the columbarium is limited to the total number of sets of ashes that were kept in the columbarium as at the following time, as shown in the approved plans—

- (a) if an application for the issue of a licence (but no application for the issue of an exemption) is pending in respect of the columbarium—the beginning of the enactment date; or
- (b) if an application for the issue of an exemption is pending in respect of the columbarium—the cut-off time.

(2C) The holder of a temporary suspension of liability does not contravene subsection (2B)(b) if—

- (a) any increase in the total number of sets of ashes since the cut-off time is caused only by sets of ashes interred in the columbarium before the enactment date (*new sets of ashes*); and
- (b) each new set of ashes is either—
  - (i) ashes interred or to be interred in a niche, where the interment right in respect of the niche was sold before the cut-off time; or
  - (ii) ashes interred in a religious ash pagoda (as defined by section 55(14)), where no fees, charges or other sums were paid, or are payable, for the interment of ashes.”.

52 By deleting subclause (3).

52(4) By deleting “(1) or (2)” and substituting “(1), (2) or (2B)”.

- 53
- (a) By deleting “after the cut-off time”.
  - (b) By deleting “has been issued” and substituting “is in force”.

53(b) By deleting everything after “entered into” and substituting “an endorsed register.”.

54(1) By deleting “referred to in section 25(3)(b) or the register updated under subsection (2)”.

54(3)(a) By deleting “referred to in section 25(3)(b), or the register updated under subsection (2),”.

55(1) By deleting “has been issued” and substituting “is in force”.

55(4) By deleting “may be” and substituting “are”.

- 55(11)(a) By deleting “(10)” and substituting “(10)(a) or (c)”.
- 57(1)(c) By deleting “management plan approved for the purposes of section 17(2) in respect” and substituting “approved management plan”.
- 66(2) By deleting everything after “unless” and substituting—  
 “—  
 (a) the disposal complies with the requirements specified in subsection (2A); or  
 (b) the disposal forms part of the prescribed ash disposal procedures carried out in respect of the columbarium.”.
- 66 By adding—  
 “(2A) For the purposes of subsection (2)(a), the requirements are—  
 (a) either—  
 (i) the person holds a specified instrument in respect of the columbarium; or  
 (ii) the columbarium was in operation immediately before the enactment date, and the ashes are disposed of within the grace period;  
 (b) the ashes are disposed of not because of cessation of operation of the columbarium;  
 (c) the ashes are disposed of in accordance with the terms of any agreement for the sale of an interment right in respect of the ashes; and  
 (d) the following particulars of disposal are entered into the record on interment and disinterment of ashes kept under section 49(4) (if paragraph (a)(i) applies), or into a record of ash disposal (if paragraph (a)(ii) applies)—  
 (i) the name of the dedicated person;  
 (ii) if the ashes are interred in a niche—  
 (A) the location and serial numbering of the niche;

- (B) photos showing the exterior and interior of the niche before disposal; and
- (C) the number of containers of ashes disinterred from the niche;
- (iii) if the ashes are interred in an area other than a niche—
  - (A) the location of the area;
  - (B) photos showing the area before disposal; and
  - (C) the number of containers of ashes disinterred from the area;
- (iv) the name, the Hong Kong identity card number (if applicable) and the contact details of the person who has collected the ashes (together with their container) and any items interred together with the ashes in the same container (if applicable);
- (v) the date of return of the ashes, container and items (if any) to the person referred to in subparagraph (iv); and
- (vi) any—
  - (A) breach of the agreement for the sale of the interment right on the part of the purchaser or authorized representative; or
  - (B) other reason for the disposal.”.

66

By deleting subclause (3) and substituting—

“(3) Without affecting sections 10 and 11, a person who operates, keeps, manages or in any other way has control of a columbarium in the circumstances specified in subsection (3A) is regarded, for the purposes of subsection (1), as having improperly disposed of ashes interred in the columbarium, unless the person carries out the prescribed ash disposal procedures in respect of the columbarium.

(3A) The circumstances are—

- (a) for a columbarium that was in operation immediately before the enactment date—that the columbarium is in operation, after the grace period, while no specified instrument is in force in respect of it; or
- (b) for any other columbarium—that the columbarium is in operation while no specified instrument is in force in respect of it.”.

71(1)(a) By deleting “the Director’s” and substituting “a”.

71(1)(b) In the Chinese text, by deleting “符合”.

72(a) By deleting “; and” and substituting “; or”.

75(1) By deleting “9” and substituting “9B”.

82(1) By adding—  
           “(ha) a decision under section 40A(1) to vary a particular or matter;”.

82(2) (a) By adding “in writing and” after “notice of appeal,”.

(b) By deleting “, in writing,”.

82(4)(a) By adding “(ha),” after “(h),”.

131 In the proposed item 73—

(a) by adding “40A(4),” after “40(2)(a) and (3),”;

(b) by adding “section 6(1) of Schedule 1,” after “and 108(4)(b),”.

Schedule 1,  
 section 3(2) By deleting everything after “may” and substituting—  
           “\_\_

- (a) appoint a member of the Licensing Board to be the Chairperson of a committee; and
- (b) appoint any person to be a member of a committee.”.

Schedule 1      By adding—

**“6.      Delegation**

- (1) The Licensing Board may, in writing, delegate any of its functions or powers to a public officer.
- (2) However, the Licensing Board may not delegate its power to do any of the following things—
  - (a) delegate under subsection (1);
  - (b) approve or refuse an application for a specified instrument;
  - (c) approve or refuse an application for the transfer of a specified instrument;
  - (d) revoke or suspend a specified instrument or an authorization under a licence to sell interment rights;
  - (e) impose or vary any condition to which a specified instrument is subject;
  - (f) approve a management plan of a columbarium for the purpose of an application for a licence;
  - (g) endorse a register required for the purpose of an application for an exemption;
  - (h) approve plans of a columbarium for the purpose of an application for a specified instrument;
  - (i) vary any particular shown in approved plans or contained in an endorsed register or vary any matter covered in an approved management plan;
  - (j) determine the validity period of a specified instrument;
  - (k) determine any date for review of a licence;
  - (l) suspend the operation of a decision of the

Licensing Board;

- (m) approve or refuse an application for permission for alteration or addition to columbarium premises;
- (n) amend any Schedule (or part of it) to this Ordinance;
- (o) appoint a committee or the Chairperson or a member of a committee.”.

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|--------------------------------|--|
| Schedule 2,<br>section 3(1)(a) | <p>In the Chinese text—</p> <ul style="list-style-type: none"> <li>(a) by deleting “建築工程的批准及對展開該等工程的” and substituting “展開建築工程的批准及”;</li> <li>(b) by deleting “消防” and substituting “防火”.</li> </ul>   |
| Schedule 2,<br>section 3(3)    | <p>In the English text, in the definition of <b><i>certifiable building</i></b>, by deleting everything after paragraph (d)(ii)(A) and substituting—</p> <p style="padding-left: 40px;">“(B) a short term tenancy under which the columbarium premises are occupied,</p> <p style="padding-left: 40px;">is subsequently granted by the Government before the enactment date.”.</p>   |
| Schedule 2,<br>section 3(4)    | <p>In the English text, in the definition of <b><i>pre-1961 NT building</i></b>, by deleting “if there has been no alteration, addition or reconstruction of” and substituting “where there has been no alteration or addition to, or reconstruction of,”.</p>   |
| Schedule 2,<br>section 4(1)    | <p>In the definition of <b><i>structures certifiable for a pre-cut-off columbarium</i></b>—</p> <ul style="list-style-type: none"> <li>(a) in paragraph (a)(i), by deleting “; or” and substituting a semicolon;</li> <li>(b) by adding— <ul style="list-style-type: none"> <li>“(ia) they are otherwise used for the interment of ashes and were so used immediately before the cut-off time; or”.</li> </ul> </li> </ul> |



- Schedule 2,  
section 4(2)(b) In the Chinese text, by adding “之下” after “第 14 條”.
- Schedule 2,  
section 4(3) In the English text, by deleting “Requirements” and substituting “The requirements”.
- Schedule 2,  
section 6(5) By deleting “meets the following descriptions”.
- Schedule 3,  
section 2(1) By deleting everything after “made by” and substituting—  
“\_\_  
(a) a person who operates, keeps, manages or in any other way has control of a columbarium; or  
(b) a person who intends to operate, keep, manage or in any other way have control of a columbarium.”.
- Schedule 3,  
section 4(1)(a) In the English text, by deleting “internet” and substituting “Internet”.
- Schedule 4,  
section 2(f) By deleting “other” and substituting “the following”.
- Schedule 5,  
section 6(1) By adding “or 9A(3)(a)(i)” after “section 9(2)”.
- Schedule 5,  
section 6(2) In the definition of *eligible claimant*—  
(a) by deleting “interred together with the ashes”;  
(b) in paragraph (b), by deleting “law applicable to the item or ashes (as the case requires)” and substituting “applicable law”.
- Schedule 5,  
section 6(2) In the definition of *prescribed claimant*, by deleting everything after “means” and substituting—  
“\_\_

- (a) an authorized representative;
- (b) a personal representative or relative;
- (c) a related person; or
- (d) the purchaser of the interment right;”.

Schedule 5,  
section 6(2)      In the English text, in the definition of ***relative***, in paragraph (p), by deleting the full stop and substituting a semicolon.

Schedule 5,  
section 6(2)      By adding in alphabetical order—

“***court*** (法院), except in section 13(2) of this Schedule, means the District Court;

***related item*** (相關物品), in relation to ashes, means—

- (a) the container of the ashes; or
- (b) an item interred together with the ashes in the same container;

***related person*** (相關人士), in relation to a deceased person, means a person who—

- (a) was living with the deceased person in the same household immediately before the date of the death of the deceased person; and
- (b) had been living with the deceased person in the same household for at least 2 years before that date;

***return order*** (交還令) means an order for the return of ashes made under section 75 of this Ordinance.”.

Schedule 5,  
section  
7(1)(a)(ii)      By deleting “section 9” and substituting “sections 9 and 9A”.

Schedule 5,  
section  
7(3)(b)(ii)(A)      By adding “and not suspended” after “in force”.

Schedule 5, section 7(4)	By deleting “section 9(6) and (8)” and substituting “sections 9(6) and 9A(5)(b)”.
Schedule 5, section 9	In the heading, by adding “— <b>general</b> ” after “ <b>ashes</b> ”.
Schedule 5, section 9	By deleting subsection (1) and substituting— “(1) This section applies subject to section 9A of this Schedule.”.
Schedule 5, section 9(2)	In the English text, by deleting “( <i>the first 2 months</i> ) of the on-site claim period” and substituting “of the on-site claim period ( <i>the first 2 months</i> )”.
Schedule 5, section 9(5)	<p>(a) In paragraph (b), by deleting “or relative” and substituting “, relative or related person”.</p> <p>(b) In paragraph (c), by deleting “of the purchaser; and” and substituting “of a related person or of the purchaser;”.</p> <p>(c) In paragraph (d), by deleting the full stop and substituting “; and”.</p> <p>(d) By adding—  “(e) a related person’s claim has priority over that of the purchaser.”.</p>
Schedule 5, section 9(6)(a)	By deleting “a person obtains a court order for their return to the prescribed claimant” and substituting “a return order is made for their return to one or more prescribed claimants”.
Schedule 5, section 9	By deleting subsections (7) to (13).
Schedule 5	By adding— <p style="text-align: center;"><b>“9A. Handling claims for ashes—if there is claim for related item</b></p>

- (1) This section applies instead of section 9 of this Schedule if, before the ashes of a deceased person (together with any related items) are returned to any person under that section, a person claims to be the owner of a related item.
- (2) In this section—
  - (a) ***specified item*** (指明物品) means the ashes of the deceased person, together with all related items (if applicable); and
  - (b) ***claim for return*** (交還申索) means any claim for the return of the ashes of the deceased person or a related item, or both.
- (3) The ash handler must return the specified item—
  - (a) where the person who claims to be the owner of the related item is a prescribed claimant—
    - (i) if the ash handler receives only the claim for return from that person within the first 2 months of the on-site claim period (***the first 2 months***)—to that person after the expiry of the first 2 months; or
    - (ii) if, by the expiry of the first 2 months, the ash handler does not receive any claim for return and that person is the first one who makes such a claim in the remainder of the on-site claim period—to that person; or
  - (b) where the person who claims to be the owner of the related item is not a prescribed claimant and if, throughout the on-site claim period, the ash handler does not receive any other claim for return—to that person after the expiry of the on-site claim period.
- (4) Subsection (5) applies if, before the specified item is returned in accordance with subsection (3), the ash handler receives another claim for return.
- (5) In the circumstances specified in subsection (4)—
  - (a) the court may determine the claims for return in accordance with any applicable law; and

- (b) the ash handler—
  - (i) must keep the specified item until a return order is made for its return to one or more persons and must return it as ordered; or
  - (ii) if no court proceedings have been instituted by the expiry of 12 months after the on-site claim period—must deliver the specified item to the Director.
- (6) For the purposes of this section, the ash handler is not under any obligation to open any container containing ashes in order to—
  - (a) ascertain if there is any related item inside the container; or
  - (b) return any related item without returning the ashes together with it.

**9B. Court order for return of ashes**

- (1) An application for a return order may be made, by originating summons, by—
  - (a) a prescribed claimant;
  - (b) a person who claims to be the owner of a related item;
  - (c) an ash handler to which section 9(6) or 9A(5)(b) of this Schedule applies; or
  - (d) if the Director is in possession of the ashes by virtue of any provision of this Ordinance—the Director.
- (2) If an application for a return order is made by an ash handler or the Director—
  - (a) Order 17 of the Rules of the District Court (Cap. 336 sub. leg. H) applies, with necessary modifications, in relation to the application as if it were an application for relief by way of interpleader; and
  - (b) the court has the powers under that Order accordingly despite section 32(3) of the

District Court Ordinance (Cap. 336).

- (3) Despite subsections (1) and (2), the District Court Rules Committee established under section 17 of the District Court Ordinance (Cap. 336) may make rules to provide for the procedures for making an application for a return order.
- (4) On making a return order, the court—
  - (a) may impose any conditions that it considers appropriate; and
  - (b) may order that the ashes be returned in any manner it thinks fit, including—
    - (i) separating any related item (except the container of the ashes) from the ashes; and
    - (ii) returning different related items to different persons.”.

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| Schedule 5,<br>section 10(1) | <ul style="list-style-type: none"> <li>(a) In paragraph (a), by deleting “specified form” and substituting “form specified by the Director”.</li> <li>(b) In paragraph (b), by deleting “Licensing Board” and substituting “Director”.</li> </ul> |
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| Schedule 5,<br>section 10(3)(a) | By deleting “of the deceased”. |
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| Schedule 5,<br>section 10(4) | <ul style="list-style-type: none"> <li>(a) By deleting “9(8)” and substituting “9A(5)(b)”.</li> <li>(b) By deleting “items interred together with the ashes” and substituting “related items”.</li> <li>(c) By deleting paragraph (a) and substituting—           <ul style="list-style-type: none"> <li>“(a) the return of the ashes and items under that section;”.</li> </ul> </li> </ul> |
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| Schedule 5,<br>section 12(4) | By deleting “and 9” and substituting “, 9 and 9A”. |
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- Schedule 5,  
section 14
- By deleting subsection (5).
- Schedule 5,  
section 14(12)
- By deleting everything after “then” and substituting—  
“\_\_
- (a) at any time before the expenses (including the interest accrued) have been recovered in full, the certificate under subsection (3) may be registered in the Land Registry against the premises; and
  - (b) upon the registration, the expenses (including any interest recoverable under subsection (7)) constitute a legal charge on the columbarium premises.”.
- Schedule 7,  
section 1(2)
- In the English text, by deleting “in so far” and substituting “so long”.