

**THE CHIU YUEN CEMETERY**  
**Mount Davis Road, Pokfulam, Hong Kong**

**Rules of The Chiu Yuen Cemetery**

**Eligibility and application for burial**

1. The estate or personal representative of: (i) a person who is a descendant of the Eurasian Community or whose ancestor is buried or deposited in the Cemetery or the estate; (ii) the spouse thereof (i) may apply to the Committee to seek permission to be buried or deposited in the Cemetery.

For the purposes of these Rules, "spouse" shall mean the partner of a person by:

- (a) marriage celebrated or contracted in accordance with the provisions of the Marriage Ordinance (Cap 181);
- (b) modern marriage validated by the Marriage Reform Ordinance (Cap 178);
- (c) customary marriage declared to be valid by the Marriage Reform Ordinance (Cap 178);
- (d) union of concubinage as defined by section 14 of the Legitimacy Ordinance (Cap 184);
- (e) kim tiu marriage entered in accordance with Chinese law and custom applicable thereto in Hong Kong before the appointed day under the Marriage Reform Ordinance (Cap 178);  
or
- (f) marriage celebrated or contracted outside Hong Kong in accordance with the law in force at the time and in the place where the marriage was performed.

*Persons wishing to make an application are advised to contact Ms. Isabella Wong of The Chiu Yuen Cemetery at 6016 6916, at The Chiu Yuen Cemetery, Mount Davis Road, Pokfulam, Hong Kong for assistance.*

2. The Committee has absolute discretion to approve any applications for burial.

## **Types of burial**

### **1. Permanent burial lot.**

A permanent burial lot is a burial space (area: 900mm x 2400mm) allocated by the Committee for burial of human remains and which, under normal circumstances, and within the duration stated in the Government lease to the Cemetery, needs not be exhumed and relocated. The fees charged are for the use of such lot and do not pass the ownership of such lot to the human remains buried therein nor to his surviving relatives. As soon as the set of human remains buried therein is exhumed and relocated, the right of use of the said lot is terminated and the lot will revert to The Chiu Yuen Cemetery for further allocation. The lot is not transferable, saleable, leaseable or to be reserved by the surviving relatives.

### **2. Exhumable burial lot.**

A Exhumable Burial Lot is a burial space (area: 900mm x 2400mm) allocated for burial of human remains and which is allocated for an initial term of 7 years and which may be extended for further terms of 7 years, subject to the payment of an additional fee applicable at the time of applying the extension. At the expiry, if nobody comes forth to apply for an extension or for the exhumation of the graves, the Committee may exhume the human remains in these graves and place the exhumed remains in a depository.

### **3. Urn niche**

Only one set of exhumed human remains is permitted to be interred in one Ossuary Niche and not more than two sets cremated ashes of human remains may be interred in an urn niche and they are to be placed in such manner that one urn is placed in front of the other.

### **4. Husband and Wife burials**

Where there is already one interment, permanent burial lots, urn burial lots or niches may be allowed for one subsequent co-burial (in so far as there are adjacent spaces available) of the spouse of the deceased first interred in the grave or niche.

## **Burial lots and niches**

1. Human remains must be buried in a coffin; exhumed human remains and cremated human ashes must be put in a suitable container prior to interment.
2. A coffin burial space shall have only an area of 900mm wide by 2400mm long and an urn niche is 300mm wide by 300mm high by 600mm deep.
3. After burial of the deceased, the grave must be levelled and within two years, a gravestone should be erected and properly maintained over the grave. Otherwise, the said grave shall be deemed to be an abandoned grave. The Committee reserves the right to exhume the remains from an abandoned grave and to treat the remains in whatever way it considers appropriate.
4. The Chiu Yuen Cemetery gives no warranty to the graves against landslip, collapse and damage of retaining walls, subsidence of land, natural disaster or civil commotion. The Cemetery shall not be held liable for indemnification or compensation for the disturbance caused to any grave as a result of such events.
5. Only one burial lot shall be allocated to one set of human remains, and only one set of encoffined human remains shall be interred in one burial lot.
6. No arrangement for pre-allocation or pre-subscription of burial lots or niches shall be permitted.

## **Erection and maintenance of Gravestones and other structure**

1. A person who intends to erect gravestone or other structures for the deceased should first submit to the Committee the original official receipt of the burial lot allocated to the deceased and detail design of the proposed gravestone or structure for formal approval from the Committee. Following receipt of the said approval and payment of construction deposit, such person will be issued a work permit. The Committee reserves the right to exclude the relevant person from further carrying out work and business in the Cemetery.
2. When erecting the gravestone, the following measurements and criteria should be noted:
  - a. Coffin burial lots: The size of the platform slab shall not exceed 900 mm in width, 2400 mm in length and the height measuring from ground to top of gravestone shall not exceed 1500 mm.
  - b. Urn burial lots: The size of the platform slab shall not exceed 600 mm in width, 900 mm in length and the height measuring from ground to top of gravestone shall not exceed 1200 mm.
  - c. Design: A gravestone shall be so designed that no water can accumulate on it. The lot number assigned to the grave should be clearly engraved on a prominent surface for easy identification.
3. Unless previously notified by the Committee, The Chiu Yuen Cemetery shall supply any water and electricity for the purpose of the constructing the Structure for a fee.
4. The validity period of a Work Permit in the Cemetery is sixty days. If for any reason the Structure cannot be completed within this period, the relevant person or contractor has to apply for an extension of the Work Permit from the Committee and pay an additional prescribed deposit. The deposit previously paid shall then be forfeited.
5. If any person causes any direct or indirect damage to the Cemetery, or if he is forced to dismantle or to demolish or to fix a Structure constructed by him because of non compliance with the contract or with the designs, or upon completing the Structure he has not cleared away the debris left behind, and in all these cases, the Committee reserves the right to forfeit the deposit so far received from the Work Permit holder and to demand the Work Permit holder to indemnify The Chiu Yuen Cemetery and to keep the Committee indemnified until the whole incident is settled.
6. Gravestones, statues and other commemorative or decorative objects set up or placed in the Cemetery are set up or placed at the sole risk of the owners of these objects..
7. For the purpose of identification, only the holder of the original official receipt for the burial lot allocated to the deceased shall be recognized as the legal trustee of the deceased.
8. In the unlikely event that the original official receipt of the burial lot allocated to the deceased is lost, the holder should first obtain an affidavit from Home Affairs Department. With this affidavit he may apply to the Committee for a duplicate copy of the said official receipt before any work can be done.

## **Exhumation and relocation**

1. Exhumed human remains or cremated human ashes which are buried or deposited in the Cemetery may be relocated by a trustee who should make an application at the Committee by producing the original official receipt for the burial lot allocated to the deceased and obtained a written consent of the Director of Food and Environmental Hygiene and the Committee.
  
2. On the expiry date of the exhumable burial lots, the human remains buried therein shall be exhumed. If nobody attends to the exhumation, the Committee may disinter and remove the human remains and to relocate them to a depository in the Cemetery without giving further notice. A storage fee and an exhumation fee shall be charged to the trustees who, at a later date, may come forth to claim these exhumed human remains.
  
3. After exhumation or relocation of the human remains, the lots and niches so left vacant shall revert to The Chiu Yuen Cemetery for further allocation. Nobody shall have any right to transfer, resell, or to let the said lot or niche to other parties, and to demand for compensation of any form whatsoever from The Chiu Yuen Cemetery for the reversion of the said lot or niche.
  
4. In the case a burial lot is seriously damaged, collapsed, and unattended for a long period of time and is deemed to have become an abandoned grave, the Committee shall first notify the surviving relatives of the deceased at the last known registered address. If no reply or notification of action is received, the Committee may, with the written consent of the Director of Food and Environmental Hygiene, authorize the human remains in this lot to be exhumed and stored in a depository of the Cemetery. The said burial lot will then revert to the Committee for further allocation.

## **Fees**

1. A management fee is chargeable for the management of the Cemetery and is to be paid by the holder of the original official receipt for the burial lot. Other fees are charged in accordance with Schedule I and the Committee reserves the right to revise the table of fees set out in Schedule I if and when it is deemed necessary.
  
2. An official receipt signed by an authorised representative of the Committee is issued immediately upon receipt of the payment which should be kept in a safe place for all future referral.
  
3. Funds raised for the Cemetery shall be applied to the improvement and maintenance of the Cemetery and to no other purpose.

### **Visitation and restrictions on the grounds of the Cemetery**

1. Persons wishing to enter on the grounds of the Cemetery are advised to contact Ms. Isabella Wong at 6016 6916 or Mr. Dennis Ng at 9261 1334 or Mr. Raymond Wong at 62871340 for permission.
2. No person shall dig privately any grave or carry out any work in the Cemetery without the permission of the Committee and that of the Director of Food and Environmental Hygiene.
3. Cemetery employees are authorised to stop any person contravening any of these Rules and to report to the police for action. Cemetery employees incurring these contraventions are subject to disciplinary action or immediate dismissal.
4. Any person causing damage, defacement, soiling or defilement for any reasons, whether willfully or otherwise, in the Cemetery shall be held liable to make good and to indemnify all the damages.

## **Membership**

1. A person who is of the Eurasian Community or descendant thereof is eligible to apply to the Committee to become a Member.
2. An application for membership must be made in writing to the Company Secretary of The Chiu Yuen Cemetery at its registered address accompanied by documentation showing proof of eligibility and the membership fee set out in Schedule I. Notwithstanding the eligibility of such person, the Committee has the absolute discretion to determine who shall be a Member. If an applicant is rejected, the membership fee shall be refunded to the applicant by cheque by post at the applicant's own risk.
3. Membership is a personal right which is not assignable and shall expire upon the death of the Member.
4. The Committee has the absolute discretion to revoke the membership of any Member at any time without notice and without providing any reasons for its revocation.