

Arrangements for cremation / burial of dead bodies infected with Ebola virus disease (EVD)

Background

From the public health perspective, the World Health Organization advises that there is a need to immediately remove the dead bodies infected with Ebola virus disease (EVD) to the mortuary and that the dead bodies be cremated or buried promptly.

2. Disposal of dead bodies is governed by different statutory provisions and is subject to the statutory powers of the Coroners, the Director of Food and Environmental Hygiene (DFEH) and the Registrar of Birth and Deaths.

3. Under section 112A of the Public Health and Municipal Services Ordinance (Cap. 132), DFEH may, subject to the provisions of section 16(1) of the Births and Deaths Registration Ordinance (Cap 174), cause a notice to be served on a person who has the right to effect the disposal of any human remains and require him to cause the human remains to be lawfully buried or cremated within such period as may be specified in the notice. If the notice is not being complied with, DFEH may take possession of the human remains and arrange for their disposal in any manner he/she may think fit provided that DFEH is satisfied that the condition as set out in section 112A(2) has been met. For unclaimed dead bodies, the right to effect the disposal of the human remains shall vest in DFEH who may arrange for disposal of the human remains in any manner DFEH may think fit.

4. Under section 16 of the Births and Deaths Registration Ordinance (Cap. 174), dead bodies may only be buried if the Registrar of Births and Deaths has given his/her written sanction or direction; a certificate of registration of death under section 17 is issued; or an order to bury or cremate has been obtained from a coroner.

5. Under section 8 of the Coroners Ordinance (Cap. 504), a Coroner may order a dead body to be buried or cremated notwithstanding that he considers that an inquest is necessary.

6. Under section 34 of the Prevention and Control of Disease Regulation (Cap. 599A), the Director of Health (DH) may issue directions in respect of the body of a deceased person who is infected with a specified infectious disease (including viral haemorrhagic fever which include EVD) on the disease control measure, method of disposal, place of burial or cremation, and time, route and method of removing the body to place of burial or cremation within the territories of Hong Kong. A person who undertakes the disposal of the body shall comply with the directions, and DH may cause the body to be disposed of only if no other person undertakes its disposal.

7. Persons involved in the handling and disposal of dead bodies are requested to observe the “Supplementary Guidance for Handling of Dead Bodies of suspected / confirmed EVD” compiled by the Infection Control Branch of the Centre for Health Protection of DH (http://www.chp.gov.hk/files/pdf/supplementay_guidance_on_handling_of_dead_bodies Ebola.pdf).

Arrangements for cremation/burial of dead bodies infected with EVD

8. In general, dead bodies infected with EVD are removed immediately to the mortuary and, subject to the above-mentioned statutory requirements, are strongly advised to be cremated promptly.

9. For dead bodies of visiting foreigners, arrangements as set out below will be followed –

- (a) Dead bodies of persons who died in HA hospitals are moved to HA mortuaries or to DH’s public mortuaries;
- (b) If no next-of-kin is available in Hong Kong, the Police will immediately inform the Consulate-General/Consulate of the home country of the deceased and the Protocol Division and request the Consulate-General/Consulate to inform the next-of-kin (NOK) overseas;
- (c) The Consulate-General/Consulates will be invited to convey the practice and the arrangement of cremation of the dead bodies in Hong Kong to the NOK overseas immediately;

- (d) Should there be no consular post in Hong Kong, the Police will inform the appropriate authority in the deceased's home country as soon as possible.
- (e) After 48 hours from the death of the deceased, if the body is still not claimed, FEHD will exercise its powers under Section 124 of Cap. 132 and dispose the body by cremation at Kwai Chung Public Crematorium or by burial at the Sandy Ridge Public Cemetery.

10. For dead bodies of locals which are claimed by NOK, arrangements as set out below will be followed –

- (a) HA will inform the legal representative or NOK of the deceased person immediately, and explain to him/her the necessary infection control measures as stipulated in the “Supplementary Guidance for Handling of Dead Bodies of suspected/confirmed EVD” published by DH, in particular the recommendation that cremation is strongly advisable;
- (b) HA will issue the Certificate of the Medical Cause of Death to the NOK immediately;
- (c) Subject to the power of DFEH to dispose of human remains under section 112A of Cap. 132, DH will issue a direction to the person who undertakes the disposal of the dead body specifying the disease control measures, method of disposal, place of burial or cremation, and time, route and method of removing the body to the place of burial or cremation within the territories of Hong Kong;
- (d) The NOK will bring the direction issued by DH, and the Certificate of Medical Cause of Death issued by HA to the Joint Office set up by the Deaths Registry of the Immigration Department, the Port Health Office of DH and the Cremation Booking Office of FEHD at Cheung Sha Wan Government Offices for arrangement of cremation/burial within 24 hours upon production of the documents at the counter of the Cremation Booking Office.

11. EVD infection per se is not one of the prescribed conditions under the Coroners Ordinance (Cap. 504) for reporting the death to the Coroner. However, if the death of a person infected with EVD falls into one or more prescribed conditions under the Coroners Ordinance (Cap. 504), e.g. if the death of the deceased is uncertain or involves unnatural elements, then such case is reportable to the Coroner under Cap. 504. HA or DH mortuary should then notify the Coroner Court of the case at the first instance no matter whether the NOK of the deceased is located or not. The Coroner, having considered the Police's report, the family's application, the pathologist's recommendation, and for indicated cases, after hearing the submission of the family in chambers, will, depend on each case, issue an autopsy order or a waiver of autopsy and a cremation or burial order. Upon the issue of cremation or burial order by the Coroner, DH will issue a direction to the person who undertakes the disposal of the dead body as in para 10(c).

12. Cremation of dead bodies under this arrangement will be conducted at the Kwai Chung Public Crematorium. Burials under this arrangement will be done at the Wo Hop Shek Public Cemetery (subject to exhumation after 6 years of burial) or the Sandy Ridge Public Cemetery (for unclaimed dead bodies). The NOK shall engage a licensed undertaker of burials under Cap. 132CB for the conveyance of dead bodies to the place of cremation or burial.

Department of Health
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