

**MEMORANDUM FOR MEMBERS OF THE
ANTIQUITIES ADVISORY BOARD**

PRESERVATION OF ARCHAEOLOGICAL HERITAGE IN HONG KONG

PURPOSE

To inform Members of the existing arrangements for the preservation of Hong Kong's archaeological heritage.

BACKGROUND

2. At the last meeting on 26 June 2008, Members asked that a paper on the preservation of Hong Kong's archaeological heritage be presented at this meeting.

3. Archaeological heritage is defined in the Charter for the Protection and Management of the Archaeological Heritage adopted by International Council on Monuments and Sites in 1990 as "comprising all the vestiges of human existence and consists of places relating to all manifestations of human activity, abandoned structures and remains of all kinds (including subterranean and underwater sites) together with all the portable cultural material associated with them".

4. In Hong Kong, the archaeological sites and structures are sites mostly buried underground and contain material evidence of all forms of human activities including sea and land exploitation, settlements, burials, fortifications, etc, from pre-historic to historic times.

5. Prior to the establishment of the Antiquities and Monuments Office (AMO) in 1976, archaeological sites had mostly been recorded by individual archaeologists or the Hong Kong Archaeological Society. The first territory-wide survey to record archaeological sites systematically was commissioned by the AMO in 1982-85. Another territory-wide survey was arranged in 1997-98 to further assess the potential value of all identified archaeological sites and to record new ones. Subsequently, small scale archaeological investigations/surveys are conducted regularly in response to various development proposals or works projects. Currently, there are 237 sites of varying degree of significance or potential. A list of the identified archaeological sites in Hong Kong and a plan showing their locations are at Annex A and B respectively.

LEGAL PROTECTION

6. The Antiquities and Monuments Ordinance (A&M Ordinance), Cap. 53, was enforced in 1976 to provide, among other things, the preservation of archaeological heritage in Hong Kong. Under the Ordinance, all antiquities or relics dated before AD1800 and discovered after 1 January 1976 in Hong Kong are properties of the Hong Kong SAR Government (Section 10). Any discovery of antiquities or supposed antiquities must be reported to the Authority (Section 11). A licence is required before a person can direct and undertake a ground survey involving search and excavation of antiquities. Under the present licensing system, only archaeological professionals with appropriate qualifications and experience will be granted licences (Section 12 & 13). Besides, the Authority may declare any place or site of archaeological significance to be a monument by Gazette after consultation with the Board and with the approval of the Chief Executive (Section 3). So far 17 archaeological sites or structures as detailed in Annex C have been declared as monuments under the A&M Ordinance.

7. The Environmental Impact Assessment Ordinance (EIAO) enforced in April 1998 provides further protection to the archaeological heritage in Hong Kong. Under Schedule 1 of the EIAO, a “Site of Cultural Heritage” is defined as “an antiquity or monument, whether being a place, building, site or structure or a relic, as defined in the A&M Ordinance and any place, building, site or structure or a relic identified by the Antiquities and Monuments Office to be of archaeological, historical or palaeontological significance”. Under the EIAO, all designated projects will require an EIA study which may include archaeological impact assessment for cultural heritage impact assessment if necessary. Mitigation measures in the EIA study report will be implemented by the project proponent to minimize impact on the affected Site of Cultural Heritage.

ADMINISTRATIVE PROTECTION

8. The list of archaeological sites, including those which have not been declared as monument, with plans delineating their boundaries has been deposited with concerned government departments such as the Planning Departments, Lands Department, Civil Engineering and Development Department, Architectural Services Department, Home Affairs Department, etc. for reference in order to enable preservation issues to be addressed at the early planning stage of a works project or development proposal. The list is regularly updated by the AMO and circulated to the concerned departments.

9. In response to the rising aspiration of the public on heritage conservation, the Chief Executive announced in his 2007/08 Policy Address a package of initiatives for enhanced conservation of historic/heritage sites and buildings. The initiatives include a requirement for assessing the impact on historic/heritage sites and buildings arising from the implementation of Government’s capital works projects. Implemented from 1 January 2008, the Heritage Impact Assessment (HIA) mechanism for capital works projects emphasizes that every effort should be made to avoid or minimize adverse impact of the proposed work on the historic/heritage sites. Under the HIA mechanism,

the works agent is required to check any identified historic/heritage sites, including archaeological sites, within or in the vicinity of the project boundary and to conduct an HIA if required by the AMO. In the submission to the Public Works Subcommittee of Legislative Council, the works agent should include a “Heritage Implications” paragraph to be cleared by the AMO, stating clearly whether the project will affect any historic/heritage sites and if so, what mitigation measures will be taken and whether the public are in support of the proposed measures in the public engagement process.

PRACTICE OF ARRANGING EXCAVATION

10. Archaeological excavation can be regarded as a destructive and irreversible act to retrieve archaeological remains. It is believed that future development in technology will enable the extract of much more information through archaeological excavation than what can be done nowadays. In line with international practice, important archaeological sites in Hong Kong should therefore be preserved intact as far as possible. Under the current legal and administrative framework, any development proposal or works project affecting archaeological sites will be circulated to the AMO for comments. The AMO will assess the impact on the site. If disturbance to the archaeological site is considered to be unavoidable with full justifications, appropriate mitigation measures ranging from site monitoring to rescue excavation will be arranged to preserve archaeological remains and data.

11. In accordance with the A&M Ordinance, the Authority would grant a licence for excavation and search for antiquities if the applicant can satisfy the mandatory requirements under Section 13 (2) (a), (b) & (c) i.e. sufficient scientific training and experience, sufficient staff and financial resources, and ability to conduct a proper scientific study for any antiquities discovered. The AMO would arrange site inspection to ensure that the fieldwork of each survey or excavation is in compliance with professional practice and licence conditions.

CENTRAL ARCHAEOLOGICAL REPOSITORY

12. Following the enactment of the A&M Ordinance, the Central Archaeological Repository (CAR) was established in 1978 to take custody of all archaeological finds. The CAR was first managed by the Hong Kong Museum of History and then transferred to the AMO in 2003. The CAR has now a collection of about 800,000 items, most of them being pottery/ceramic sherds or stone artefacts. About 122,000 items have been accessioned by staff of AMO with the assistance of university undergraduates majoring in archaeology or anthropology.

PROMOTION OF ARCHAEOLOGICAL HERITAGE

13. Selected artefacts from the CAR are on display at various local museums to illustrate the cultural roots and historical development of Hong Kong. To promote public awareness of preserving archaeological heritage, the AMO has also organized

exhibitions, lectures and conferences on various themes of archeology at the Heritage Discovery Centre (HDC). A permanent exhibition on Hong Kong's archaeological heritage is being set up in HDC and will be opened to the public in early 2009. Information about Hong Kong's archaeological heritage is also available for public reference in AMO's website and the Resource Centre at HDC.

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Leisure and Cultural Services Department
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