

Subcommittee on Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) (Amendment) Regulation 2015 and Building (Administration) (Amendment) (No. 2) Regulation 2015

**List of follow-up actions arising from the discussion
at the meeting on 27 October 2015**

The Administration was requested to provide the following information:

Consultation on the proposed amendments

1. the basis and justifications for the Administration to state in its letter dated 26 October 2015 (LC Paper No. CB(1)71/15-16(01)) that --
 - (a) the Equal Opportunities Commission welcomed the introduction of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) (Amendment) Regulation 2015 (L.N. 191) and the Building (Administration) (Amendment) (No. 2) Regulation 2015;
 - (b) the Department of Justice had advised that enhancement in the level of provision of female sanitary fitments in public places should not lead to less favourable treatment of men, and hence should not give rise to allegations of gender discrimination;
2. the number of individuals (including those from the consultancy firm) taking part in the study/survey on the review of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations and how many of them were females;

The ratio for assessing the number of males to that of females in public places

3. details of the findings and factors/justifications that supported the Administration's proposal to adopt a ratio of 1:1.5 for assessing the number of males to that of females in public places;
4. whether a ratio of 1:1.5 had been adopted for assessing the number of males to that of females in most of the newly-completed premises/buildings in recent three years; if yes, the details;

5. details (with examples) on the extent to which the required numbers of watercloset fitments provided for male and female persons in different types of public places would increase as a result of the adoption of the aforesaid ratio of 1:1.5;
6. the reasons for the Administration's response to the proposal of some members to amend the aforesaid ratio of 1:1.5 to, say, 1:2 that there would be difficulties from a legal point of view;

Restaurants in a shopping arcade

7. with regard to a shopping arcade comprising, among others, restaurants --
 - (a) factors to be taken into account and details on the assessment in determining the requirements/standards for the provision of sanitary fitments in the shopping arcade;
 - (b) how the Administration assessed the additional provision of sanitary fitments that should be provided in the shopping arcade in the case of any subsequent increase in the number of restaurants;
 - (c) measures adopted by the Administration (e.g. the Buildings Department and the Food and Environmental Hygiene Department) to monitor the compliance with the statutory requirements on the provision of sanitary fitments in shopping arcades/restaurants; the number of prosecutions taken against non-compliance in the past two years; how to ensure that such facilities would be kept open to the public/visitors in the day-to-day operation of shopping arcades and would not be converted into other uses (such as store room or toilets for staff);

Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers

8. referring to the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers updated by the Buildings Department (PNAP No. ADV-28) updated by the Buildings Department in November 2012 ("Practice Note"), which set out the Buildings Department's recommendations relating to the provision of sanitary fitments, the legal status/binding effect of the Practice Note, and how far the recommendations had been/would be adhered to;

9. whether, after the enactment of the proposed amendment, the Administration would revise its recommendation in the Practice Note on the ratio for assessing the number of male to female persons in premises for the provision of sanitary fitments from 1:1.5 to a more realistic ratio;

Provision of unisex toilets

10. referring to paragraph 12 of the Practice Note about the provision of unisex toilets, whether and under what circumstances the Administration would count the provision of unisex toilets in private buildings (such as places of public entertainment, restaurants, etc.) as provision of sanitary fitments for male or female persons for these premises;

Facilities for children and babies

11. whether the Administration would introduce legislation on the provision of : (a) baby care facilities (such as baby changing facilities) in male and female toilets, and (b) sanitary fitments (such as waterclosets) inside male or female toilets suitable for the use of children; if yes, the details; if no, the reasons;

Other issues

12. whether the practice of temporarily allocating some of the male toilets/watercloset compartments in premises for the use of female persons, hence changing the ratio between the provision of male and female sanitary fitments in the premises, would be in compliance with the relevant statutory requirements regarding the provision of sanitary fitments in the premises; and if yes, the reasons; and
13. whether the Administration would consider offering incentives such as relaxation of planning restrictions/plot ratios to encourage private owners/developers to achieve standards beyond the statutory requirements in the design and provision of sanitary fitments in public places and office buildings, so as to better cater for the needs of female persons; if yes, the details; if no, the reasons.