

For information

SUBCOMMITTEE ON BUILDING (STANDARDS OF SANITARY FITMENTS, PLUMBING, DRAINAGE WORKS AND LATRINES) (AMENDMENT) REGULATION 2015 AND BUILDING (ADMINISTRATION) (AMENDMENT) (NO. 2) REGULATION 2015

**Response to the concerns raised by the Members
at the meeting of 13 November 2015**

PURPOSE

This paper provides supplementary information to the Subcommittee in response to the Members' requests at the meeting held on 13 November 2015.

COMPARISON WITH THE STANDARDS OF OTHER COUNTRIES

2. Different countries have respective methods to determine the standard for the provision of sanitary fitments in public places (including shopping arcades/department stores, cinemas and places of public entertainment). For example, Singapore has no prescribed male-to-female population ratio in a premises, and the United Kingdom (UK) has no male-to-female population ratio for shopping arcades and department stores. Where the male-to-female population ratio has been specified in the standards of UK and the United States (US), the ratio is 1:1.

3. For a rough comparison, taking into account both the watercloset fitments and urinals for male, the ratio of male-to-female sanitary fitments provided in UK generally ranges from 1:1 to 1: 1.7 (mostly about **1:1.3**); the ratio in US generally ranges from 1:1 to 1:1.5 (mostly about **1:1.3**); the ratio in Singapore generally ranges from 1:0.8 to 1:1.7 (mostly about **1:1.6**). According to standards under the Amendment Regulation, the ratio of male-to-female sanitary fitments generally ranges from 1:1.4 to 1:2.1 (mostly about **1:1.6**). Overall, the ratio for the provision of female sanitary fitments in the Amendment Regulation is higher than the standards of UK and US, and broadly in line with those of Singapore.

PROVISION OF SANITARY FITMENTS IN DIFFERENT BUILDINGS

4. While the Amendment Regulation has covered most private buildings in Hong Kong, other legislation has provided for the provision of sanitary fitments in individual types of premises, such as child care centres (Child Care Services Regulations), schools and boarding schools (Education Regulations). We have consulted the relevant departments in respect of other buildings and the information is summarised as follows.

Government buildings in general

5. According to the internal guideline of the Architectural Services Department (ArchSD), all works projects under its purview must comply with the Buildings Ordinance and its allied regulations as well as Practice Notes in force at the time. Since the Buildings Department (BD) updated the Practice Notes in 2012, ArchSD has progressively increased the provision of female sanitary fitments in accordance with the enhanced standards in its new projects as well as in major renovation for the maintenance of existing government buildings, and incorporate other facilities including baby care rooms and sanitary fitments for use by children as far as practicable.

MTR stations

6. Pursuant to section 54 of the Mass Transit Railway Ordinance (Cap 556), the Building Authority has, having regard to the exceptional nature of building works connected with the operation or construction of the railway, exempt any of those works from any provision of the Buildings Ordinance. A committee formed by relevant bureau/departments (including Transport and Housing Bureau (THB), BD and Fire Services Department) will supervise the building works to ensure the design and construction meet the structural and fire safety standards.

7. Given the special nature of the railway as well as the variation in the actual capacity of people in transit at each railway station, the Amendment Regulation has not set out the standards for the provision of sanitary fitments in railway stations. However, according to the information provided by THB, the Mass Transit Railway Corporation Limited (MTRCL) will, where feasible, provide toilets in MTR stations for passengers in accordance with railway operational and passengers' needs. When designing and planning new railway lines, MTRCL will provide toilets for passengers in or near the new stations.

8. Most of the MTR stations along the urban railway lines were built in the 70s and 80s of the last century. Due to shorter travelling distances at the

time and given that toilet facilities were usually available in most commercial buildings and shopping malls in urban areas, toilets for passengers were therefore not provided in the MTR stations which were built back then. Retrofitting toilets in existing stations in operation is a complex alteration project with considerable technical difficulties, including capacity of the sewage system, proximity of high voltage equipment and requirement of installing a separate ventilation system. Nevertheless, to meet passengers' need as far as practicable, MTRCL has committed to provide toilets for passengers in interchange stations which have not been equipped with such facilities. The target completion will be in 2020.

9. At the same time, MTRCL informs passengers by means of various channels of the locations of the nearest public toilets. On the street maps inside stations, the locations of public toilets in nearby shopping malls, commercial buildings and Government facilities within 200-metre or a 4-minute walk from stations are shown. Such information is also uploaded to the MTRCL's website. Passengers in need may also use staff toilets. Notices have been posted at station platforms and outside station control rooms in the concourses to inform passengers that they may approach station staff for assistance if necessary

10. MTRCL submitted a paper to the Subcommittee on Matters Relating to Railway under the Legislative Council Panel on Transport in June 2015 to brief the Subcommittee on the progress update on the enhancement of MTR station facilities (including toilets). Members may refer to the LC paper CB(4)1228/14-15(03).

Public piers

11. The Amendment Regulation has not set out the standards for the provision of sanitary fitments in piers. Due to the different nature of piers, the relevant departments will provide sanitary fitments on need basis. For example, as the majority of the public only make a temporary stay at public piers, and taking into account the need for better resource utilisation, THB considers that there is currently no need to provide sanitary fitments at public piers. However, toilets are provided in most of the ferry piers managed by the Transport Department through ferry operators.

Hospitals

12. According to the information provided by the Hospital Authority, the provision of sanitary fitments for those hospitals under its purview, no matter they are subject to the Buildings Ordinance or not, would be in line with the

relevant standards for offices, industrial undertakings and other places of work under the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations.

APPLICATION OF NEW REGULATIONS

13. According to the information provided by the Food and Environmental Hygiene Department (FEHD), the restaurant licensees/ applicants will not be asked to follow the new standards in the provision of sanitary fitments for male and female customers if the applications of outside seating accommodation (OSA) for alfresco dining have been submitted before the commencement of the Amendment Regulation. After the commencement of the Amendment Regulation, if restaurant licensees/ applicants would like to apply for OSA amounting to more than 300 customers in total, FEHD will require the concerned parties to provide sanitary fitments in accordance with the standards as stipulated in the Amendment Regulation.

PLOT RATIO OR OTHER INCENTIVES TO THE DEVELOPERS

14. It is a statutory requirement to provide appropriate sanitary fitments in premises. We do not intend to provide incentives to developers in the form of plot ratio or in other forms. In addition, the suggestion relates to the existing policy on the control of building bulk, which was formulated after an extensive public engagement process and should not be easily changed. In fact, we observe that developers actually have taken into consideration the design needs as well as commercial factors in adopting a higher standard for the provision of sanitary fitments than the statutory requirements.

Development Bureau
November 2015