

## 23. 第 19、20、21 及 22 條的補充規定

(1) 就第 20、21 及 22 條而言，建築物的高度是由建築物所臨向或緊連而不少於 4.5 米闊的一條或多於一條街道的平均水平或 (如建築物緊連多於一條不少於 4.5 米闊而水平不一的街道) 由該等街道中最低的街道的平均水平，量度至建築物最高的實用樓面空間之上的屋頂的平均高度。 (1987 年第 406 號法律公告)

(2) 為施行第 20、21 或 22 條而釐定建有建築物的地盤所佔面積時——

(a) 無須考慮任何街道或通道巷的任何部分；及

(b) 撥供公眾作通道用途的任何面積須包括在內。

(3) (a) 除 (b) 段另有規定外，就第 19、20、21 及 22 條而言，建築物的總樓面面積為在每層樓面水平 (包括地面水平以下的任何樓面) 量度所得的建築物外牆以內面積，連同建築物內每個露台的面積 (以露台整體尺寸計算，包括其圍邊的厚度)，以及建築物外牆的厚度。

(b) 為施行第 20、21 及 22 條而釐定總樓面面積時，建築事務監督對任何其他信納是純粹建作或擬純粹用作停泊汽車或供汽車上落客貨或純粹由任何升降機、空調或暖氣系統或任何相類設施的機械或設備佔用的樓面面積，可以不計算在內。 (1987 年第 406 號法律公告)

(4) 就第 19、20、21 及 22 條而言，如任何綜合用途建築物內唯一的住用部分，是管理員或就該建築物或該建築物所獲提供的設施而受僱的其他人住用的地方 (實用樓面空間不多於 50 平方米)，或是以該建築物頂層構成的住所，或兩者兼有，則建築事務監督可視該綜合用途建築物為非住用建築物。 (1976 年第 294 號法律公告)

(1962 年 A97 號政府公告；1969 年第 54 號法律公告)

## 23. Provision supplementary to regulations 19, 20, 21 and 22

(1) For the purposes of regulations 20, 21 and 22, the height of a building shall be measured from the mean level of the street or streets on which it fronts or abuts being a street or streets not less than 4.5 m wide, or where the building abuts on streets not less than 4.5 m wide having different levels, from the mean level of the lower or lowest of such streets, to the mean height of the roof over the highest usable floor space in the building. (L.N. 406 of 1987)

(2) In determining for the purposes of regulation 20, 21 or 22 the area of the site on which a building is erected—

(a) no account shall be taken of any part of any street or service lane; and

(b) there shall be included any area dedicated to the public for the purposes of passage.

(3) (a) Subject to sub-paragraph (b), for the purposes of regulations 19, 20, 21 and 22, the gross floor area of a building shall be the area contained within the external walls of the building measured at each floor level (including any floor below the level of the ground), together with the area of each balcony in the building, which shall be calculated from the overall dimensions of the balcony (including the thickness of the sides thereof), and the thickness of the external walls of the building.

(b) In determining the gross floor area for the purposes of regulations 20, 21 and 22, the Building Authority may disregard any floor space that he is satisfied is constructed or intended to be used solely for parking motor vehicles, loading or unloading of motor vehicles or occupied solely by machinery or equipment for any lift, air-conditioning or heating system or any similar service. (L.N. 406 of 1987)

(4) For the purposes of regulations 19, 20, 21 and 22, the Building Authority may treat as a non-domestic building a composite building in which the only domestic part of the building is a place of residence, not having more than 50 m<sup>2</sup> of usable floor space, for a caretaker or other person employed in connexion with the building or a service provided therefor or a residence comprising the top storey of the building, or both. (L.N. 294 of 1976)

(G.N.A. 97 of 1962; L.N. 54 of 1969)