

For information

**LEGISLATIVE COUNCIL
PANEL ON DEVELOPMENT**

**Progress Update of the Proposed Amendments to
the Building (Standards of Sanitary Fitments, Plumbing, Drainage
Works and Latrines) Regulations (Cap. 123I)**

PURPOSE

This paper briefs Members on the progress of the exercise to amend the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap. 123I) (Regulations), in particular the Government's plan to adopt a two-stage approach in taking forward the exercise.

BACKGROUND

2. We briefed Members in February and November 2012 vide LC Paper No. CB(1)1116/11-12(09) and LC Paper No. CB(1)200/12-13(01) on the Government's proposal to amend the Regulations, which were first made in 1959 and some of the provisions have become outdated over time. The objectives of the exercise are to –

- (a) enhance the standards for the design and provision of various sanitary fitments, plumbing and drainage facilities for buildings;
- (b) replace the existing prescriptive requirements by performance-based requirements to better cater for the advancement in building technology; and
- (c) rationalise the statutory provisions and bring them up-to-date.

Members were generally supportive of the proposal.

PROGRESS

3. The exercise to amend the Regulations involves not only substantial amendments to most of the provisions but also re-organisation of the Regulations as a whole. In view of the substantial changes involved and taking into account legal advice, we consider it necessary to effect the amendments by repealing the existing Regulations and enacting a new piece of legislation. This approach will necessitate consequential amendments to a number of pieces of subsidiary legislation, some of which are not made under the Buildings Ordinance (Cap. 123) and could only be pursued by the relevant authorities through separate legislative amendments. Given the scope and complexity of the exercise, we envisage that it will take some time to complete.

Two-stage approach to amend the Regulations

4. We note that there are public aspirations for early enhancement of the statutory standards for the provision of sanitary fitments in public places. We will therefore adopt a two-stage approach in taking forward the exercise to amend the Regulations. We will amend the Regulations to enhance the standards for the provision of sanitary fitments in public places at the first stage, whereas other amendments to the Regulations, such as the enhancement of the requirements on the construction of the drainage system, the transformation of the prescriptive requirements into performance-based requirements, etc., will be dealt with at the second stage.

5. The scope of the first stage of the exercise will include –

- (a) introduction of new categories of building use for the purpose of determining the quantity of sanitary fitments to be provided. In view of the increased diversity of building uses, additional categories of uses, including sports stadiums, shopping arcades and department stores, religious institutions as well as funeral parlours, will be added to the existing five categories. Please also see paragraphs 6 to 7 of LC Paper No. CB(1)1116/11-12(09);
- (b) enhancement of standards for provision of sanitary fitments. In particular, the provision of waterclosets in female toilets in shopping arcades and department stores, cinemas and places of

public entertainment will be increased. Please also see paragraphs 8 to 12 of LC Paper No. CB(1)1116/11-12(09); and

- (c) introduction of rationalised standards for provision of sanitary fitments for restaurants. The current standards do not take due account of the size of restaurants and could be onerous for small establishments. We will introduce rationalised standards which, compared to the existing standards, will relax and refine the requirements for the provision of sanitary fitments for small and large restaurants respectively.

Updating of Practice Note

6. To promote and encourage early adoption of the enhanced standards in respect of the provision of sanitary fitments in public places, the Buildings Department (BD) has already updated the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (Practice Note) since November 2012 for voluntary adoption by the building industry. Apart from the enhanced standards, the updated Practice Note also provides guidelines on the minimum space requirements for various sanitary fitments, the provision of sanitary fitments suitable for use of children, etc. BD will continue to update the Practice Note as appropriate.

WAY FORWARD

7. We aim to table the Amendment Regulations covering the first-stage amendments set out in paragraph 5 above at the Legislative Council in early 2015. In parallel, we will continue to work on the other amendments and table the relevant Regulations at the Legislative Council in due course.

Development Bureau
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