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**Paper for the House Committee**

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

**Purpose**

This paper reports on the deliberations of the Subcommittee on Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) (Amendment) Regulation 2015 and Building (Administration) (Amendment) (No. 2) Regulation 2015 ("the Subcommittee").

**Background**

2. Enacted in 1959, the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap. 123I) ("the extant Regulations") govern the standards for the provision of sanitary fitments (including the number of waterclosets, urinals and lavatory basins) in the following private buildings: residential buildings, places of public entertainment, cinemas, restaurants, offices, industrial undertakings and other places of work ("regulated buildings") as well as the planning, design and construction of plumbing, drainage and wells in private buildings. The minimum standard for the provision of sanitary fitments in regulated buildings is prescribed with reference to the numbers of males and females that are present (or likely to be present) in a building so that at least certain numbers of sanitary fitments are provided in the building concerned. As the number of male/female persons reaches different levels ("threshold levels"), the prescribed number of sanitary fitments required is increased accordingly.

3. The Administration is of the view that the extant Regulations have become outdated<sup>1</sup>. Taking into account the findings of a consultancy study, the Buildings Department ("BD") has conducted a comprehensive review on the extant Regulations and proposed to make substantial amendments to the extant Regulations. In view of the complexity of the legislative amendment exercise and public aspirations for early enhancement of the statutory standards for the provision of female sanitary fitments in public places, the Administration has decided to adopt a two-stage approach in taking forward the amendment exercise.

4. At the first stage, the extant Regulations will be amended to enhance the standards for the provision of sanitary fitments in public places, whereas other amendments (e.g. enhancement of the requirements on the construction of the drainage system, transformation of the prescriptive requirements into performance-based requirements, etc.) will be dealt with at the second stage. The first stage relates to the amendments made under this legislative exercise.

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

5. The Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) (Amendment) Regulation 2015 ("the Amendment Regulation") and the Building (Administration) (Amendment) (No. 2) Regulation 2015 (collectively referred to as "the two Amendment Regulations"), made by the Secretary for Development under section 38 of the Buildings Ordinance (Cap. 123) ("BO"), were gazetted on 9 October 2015 and tabled in the Legislative Council on 14 October 2015. They are to come into operation on 14 December 2015.

*The Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) (Amendment) Regulation 2015*

6. The Amendment Regulation amends the extant Regulations to --
- (a) update the requirements on the numbers of sanitary fitments in respect of the regulated buildings by changing the ratio of

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<sup>1</sup> Paragraphs 2 and 21 of the Legislative Council Brief (File Ref: DEVB(PL-B)30/30/98) on the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) (Amendment) Regulation 2015 and the Building (Administration) (Amendment) (No. 2) Regulation 2015

male to female persons and the threshold levels that are adopted in respect of these buildings;

- (b) add four new types of regulated buildings (i.e. sports stadia, shopping arcades and department stores, religious institutions, funeral parlours) and prescribe the requirements on the numbers of sanitary fitments to be provided in these buildings;
- (c) replace the type of building which is considered "offices, industrial undertakings and other places of work" by "workplace", which is defined to include an office, an industrial undertaking, a shop that is neither within a shopping arcade nor within a department store, and a food room of a restaurant where the number of persons in the restaurant is more than 300;
- (d) amend or add certain terms or definitions (such as amending the definitions of "cinema" and "industrial undertaking"; adding the definitions of "food room" and "sports stadium", replacing the term "usable floor space" with "usable floor area"); and
- (e) make certain related amendments.

7. A major operative effect of the above amendments is that the number of female sanitary fitments to be provided in the regulated buildings will be increased<sup>2</sup>. In particular, the Amendment Regulation adopts a ratio of 1:1.5 for assessing the number of males to that of females in six types of public places, i.e. restaurants, cinemas, places of public entertainment<sup>3</sup>, shopping arcades and department stores, religious institutions, funeral parlours. With the application of this ratio and taking into account other factors (such as duration of use of the toilet by males and females, queuing time and the level of user satisfaction), the minimum

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<sup>2</sup> The standards prescribed in respect of sanitary fitments provided for male persons are also updated by the Amendment Regulation.

<sup>3</sup> Under the extant Regulations, the ratio for assessing the number of males to that of females in restaurants, cinemas, places of public entertainment is 1:1. Shopping arcades and department stores, religious institutions and funeral parlours are new categories of building uses added by the Amendment Regulation. The provision of sanitary fitments for "shopping arcades and department stores" under the extant Regulations follows the requirements stipulated in Regulation 5 for "Offices, industrial undertakings and other places of work", in which the ratio of male-to-female is taken as 1:1 as specified in the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-6.

numbers of different sanitary fittings (such as waterclosets, urinals and lavatory basins) required to be provided in different types of regulated buildings of various sizes or capacities for males and females have been worked out and set out in the Amendment Regulation. For instance, in a cinema with a seating capacity of 600, the ratio of watercloset for the use of males to that for the use of females will be 1:3.5 (i.e. a minimum of 2 waterclosets for males and 7 waterclosets for females; plus a minimum of 3 urinals for males); for a place of public entertainment with the same capacity, the ratio will be 1:4.3 (a minimum of 3 waterclosets for males and 13 waterclosets for females; plus a minimum of 5 urinals for males).

8. More information and illustrations about the numbers of male and female sanitary fittings required to be provided in different types of private buildings are in **Appendix I**. A comparison of the numbers of such fittings prescribed under the extant Regulations and the Amendment Regulation in three types of buildings are set out in **Appendix II**. Under the Amendment Regulation, the numbers of waterclosets to be provided for females in shopping arcades and department stores, cinemas, places of public entertainment will be increased on average by about 75%, 160%, 185% respectively.

9. For workplaces, the Amendment Regulation provides that the ratio for assessing the number of males to that of females in the premises is deemed to be 1:1. The ratio of 1:1 will also be applicable to the newly introduced building type of sports stadia. In addition, the requirements in respect of sanitary fittings in a restaurant under the Amendment Regulation are aligned with the relevant licensing requirements for restaurants.

#### *The Building (Administration) (Amendment) (No. 2) Regulation 2015*

10. The Building (Administration) (Amendment) (No. 2) Regulation 2015 amends regulation 8(1)(k)(i) of the Building (Administration) Regulations (Cap. 123A) by replacing the term "usable floor space" with "usable floor area", consequential to the amendments made by the Amendment Regulation to the extant Regulations.

### **The Subcommittee**

11. At the meeting of the House Committee held on 16 October 2015, members agreed to form a subcommittee to study the two Amendment

Regulations. Hon Alice MAK was elected Chairman of the Subcommittee. The membership list of the Subcommittee is in **Appendix III**.

12. To allow time for the Subcommittee to study the two Amendment Regulations, a resolution was passed at the Council meeting of 4 November 2015 to extend the scrutiny period to 2 December 2015. The Subcommittee has held five meetings to meet with the Administration and receive views from deputations and members of the public. A list of the organizations which have submitted views to the Subcommittee is in **Appendix IV**.

### **Deliberations of the Subcommittee**

13. The Subcommittee in general supports the Administration's initiative to enhance the standards for the provision of sanitary fitments, in particular those for the use of females, in public places. In the course of deliberation, the Subcommittee has examined the basis for determining the ratio for assessing the number of males to that of females in regulated buildings, the action that the Administration will take against non-compliance with the statutory requirements on provision of sanitary fitments in such places, and expressed views and concerns on the impact of the amendments under the two Amendment Regulations on certain regulated buildings, the definition and meaning of "major alteration and addition works" for existing regulated buildings (upon which the new requirements will apply), the applicability of the Amendment Regulation to buildings which belong to the Government ("government premises") and MTR stations, the gender implications of the amendments, the provision of unisex toilets and family-friendly facilities in the toilets in public places, etc.

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

14. Some members consider that the ratio of 1:1.5 as provided under the Amendment Regulation for assessing the number of males to that of females in public places (i.e. shopping arcades and department stores, cinemas and places of public entertainment) is not adequate to address the problem of shortage of female sanitary fitments in these places. Referring to the long queues often seen outside the female toilets in public places, Hon Cyd HO and Dr Hon Helena WONG strongly suggest that the ratio should be changed to at least 1:2. Dr WONG has asked whether the concerned authorities of other modern cities also take into account the ratio

of the number of males to that of females in premises when working out the standards for provision of sanitary fitments, and what the ratios in these cities are. Ms HO has queried whether the Administration, when working out the new standards for the provision of sanitary fitments in public places, has taken into account the difference in the time taken by males and females in the use of such fitments and the distinctive needs of the two sexes. The Subcommittee notes the view of the Hong Kong Women Development Association Limited that the said ratio should be changed to 1:2; and the opinion of the Hong Kong Federation of Trade Unions that the said ratio for offices (classified as a kind of "workplaces" under the Amendment Regulation), deemed to be 1:1, should be revised to 1:2, taking into consideration the proportion of females in the population of clerical support workers in Hong Kong.

15. The Administration has advised that different countries have respective methods to determine the standards for the provision of sanitary fitments in public places. For example, Singapore has no prescribed male-to-female population ratio in 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.

16. The Administration has taken cinemas with different seating capacities as examples to illustrate that by (a) replacing the ratio of 1:1 under the extant Regulations by 1:1.5 for assessing the number of males to that of females in cinemas, and (b) adopting the standards for provision of sanitary fitments prescribed in the relevant Tables in the Amendment Regulation, the operative effect of the said factors will result in a ratio of 1:3.5 in respect of male to female waterclosets required to be provided in a cinema with a seating capacity of 600, and 1:4.5 for a cinema with a seating capacity of 1 000<sup>4</sup>. The Administration has advised that the consultant undertaking the relevant study has considered the difference between males and females in the demand for sanitary fitments, including usage time and waiting time, etc., in working out the new standards. Women organizations, including the Women's Commission, have been consulted on the amendments and they are generally supportive of the amendments.

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<sup>4</sup> Paragraph 7, Appendices I and II of this report refer.

The minimum numbers of sanitary fitments for males and females required to be provided in regulated buildings

17. The minimum numbers of sanitary fitments for males and females respectively required to be provided in regulated buildings of different sizes/capacities are specified in the Tables in the Amendment Regulation. Some examples are given in **Appendix I** of this report. The Subcommittee has examined the basis on which the numbers were determined, for instance, the reason for providing at least one (but not two or any other number of) watercloset for every 40 female persons or part of those persons in a cinema, and in particular, how the consultancy study commissioned by BD has taken into account the difference between the duration of the use of the toilet by males and females.

18. According to the Administration, in reviewing the standards for provision of sanitary fitments for males and females, the consultant conducted a two-month on-site survey on the use of such facilities in some local public places. The survey was conducted during the peak periods on weekdays and holidays; and about 2 500 users of sanitary fitments (of which 60% were females) in different types of buildings were interviewed. The survey is based on the actual numbers of sanitary fitments provided in the premises, the number of people using the sanitary fitments, queuing time, durations of usage, the levels of satisfaction to the users, etc. The survey indicated that the average duration of use of the toilet by males ranged from 1.31 minutes to 2.62 minutes in different places, with a total average duration of 1.95 minutes; whereas the average duration of use of the toilet by females ranged from 1.7 minutes to 2.96 minutes in different places, with a total average duration of 2.61 minutes. With the empirical data collected and applying statistical methodology, the consultant adopted the Queuing Model of Operations Research to assess the increase in the number of sanitary fitments required to enhance the level of user satisfaction. Taking into consideration the consultant's recommendations, together with the projected change in the gender ratio of the local population, relevant overseas standards and stakeholders' views, the Administration has developed the new requirements for the provision of sanitary fitments in different types of buildings as well as the male to female ratio in different types of buildings.

19. Dr Hon Helena WONG has pointed out that, for example, while in a shopping arcade of 500 m<sup>2</sup> the ratio of male to female watercloset will be 1:3 (one male watercloset and three female waterclosets) under the Amendment Regulation (Table (I) in Appendix II refers), the ratio of male to female sanitary fitment (including the urinals for male users) will only

be 1:1.5 (one watercloset and one urinal for male users, three waterclosets for female users). She considers the latter ratio (1:1.5) unreasonable, showing no improvement on provision of sanitary fitments for females. She has queried whether the new standards for the ratios of male to female sanitary fitments (including urinals) to be provided in various types of private buildings are comparable to those in other modern cities.

20. The Administration has explained that the example quoted by Dr Hon Helena WONG shows a case where the area of the premises is small, and in fact in most other cases, the ratio of male to female sanitary fitment (including urinals) to be provided under the Amendment Regulation generally ranges from 1:1.4 to 1:2.1 (mostly about 1:1.6). The ratio 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). The Administration has concluded that the ratio of male to female sanitary fitment (including urinals) prescribed under the Amendment Regulation is higher than the standards of UK and US, and broadly in line with those of Singapore.

21. As to some members' suggestion of changing the ratio of 1:1.5, to, say 1:2, for assessing the number of males to that of females in the six types of private buildings (restaurants, shopping arcades and department stores, cinemas, places of public entertainment, religions institutions and funeral parlours) regulated by the Amendment Regulation, the Administration's position is that, if a major revision to the Amendment Regulation is to be proposed, such as changing the said ratio, the Administration will need time to re-examine whether such revision will affect the equity of treatment for male and female users, and consult stakeholders.

22. At the Subcommittee's request, the Administration will report to the Panel on Development in due course the effectiveness of the implementation of the new standards set out in the Amendment Regulation and its plan for reviewing the standards from time to time.

#### Non-compliance with the statutory requirements on provision of sanitary fitments

23. Some members have pointed out that it is not unusual to find that some watercloset compartments in a restaurant or a communal toilet in a shopping arcade are used as store rooms or locked up for the use of staff, or some toilets in a public place originally designated for a certain sex are



allocated to the opposite sex on a long-term basis. They have asked the Administration to clarify whether such practices are regulated under BO and/or the Amendment Regulation, how the Administration can ensure that the required numbers of sanitary fitments for males and females in public places are provided and kept open to the public but not converted to other uses. In this connection, these members have also asked whether there is any mechanism/arrangement which may facilitate members of the public to identify if there is any contravention of the relevant statutory requirements on provision of sanitary fitments and for the public to lodge complaints against suspected contravention.

24. The Administration has advised that whether there would be any contravention of the law would depend on the actual circumstances of each case, including whether the concerned sanitary fitments have been provided in accordance with the statutory requirements, whether there is sufficient evidence to prove that the sanitary fitments provided for a particular gender could not be used by that gender permanently, and whether the alterations involve unauthorized building works. If unauthorized building works are involved, the Building Authority ("BA") may order the removal of such building works under section 24 of BO. In case there is no involvement of unauthorized building works, BA will have to consider if there are sufficient justifications for him to issue an order under section 25 of BO to discontinue the change in use.

25. The Administration has further advised that, if the case involves a restaurant, that would fall under the purview of the Food and Environmental Hygiene Department ("FEHD"), the licensing authority. Like other licensed food premises, restaurants are inspected by the officers of FEHD at regular intervals. During the inspections, FEHD officers will check the compliance of the licensees with relevant legislative provisions, as well as licensing requirements and conditions. If any irregularities leading to non-compliance with the provision of sanitary fitments for the use of customers, such as blockage of a toilet or conversion of a toilet into a storage room, are detected, the inspecting officers will issue warnings or initiate prosecutions against the licensee concerned, where appropriate.

26. As regards the ways for members of the public to identify non-compliance with the statutory requirements on provision of sanitary fitments, the Administration has advised that the required and actual numbers of sanitary fitments for a building are shown on the plans approved under BO. If any member of the public would like to find out more about the provision of sanitary fitments for particular premises, they can make a request with BD for viewing of building plans.

Requirements on provision of sanitary fitments for shopping arcades comprising restaurants

27. An issue related to non-compliance with statutory requirements on provision of sanitary fitments is whether different restaurants in a shopping arcade are allowed to share the watercloset compartments in a communal toilet in the shopping arcade for the purpose of meeting the statutory requirements. Members are concerned that, if sharing is allowed, the number of watercloset compartments in the communal toilet will likely to be insufficient for meeting the needs of the customers of the restaurants concerned. Moreover, other visitors to the shopping arcade also have a demand for sanitary fitments. In this connection, the Subcommittee has examined how the standards for the provision of sanitary fitments for shopping arcades with restaurants are determined, and how the Administration monitors the day-to-day compliance of such shopping arcades with the standards.

28. According to the Administration, the number of sanitary fitments required to be provided in a shopping arcade with restaurants will be the summation of the numbers of sanitary fitments required for the restaurants and the shopping area respectively. The Administration has provided two cases (in **Appendix V**) for illustration. Case 1 shows the calculation, under the Amendment Regulation, of the minimum numbers of sanitary fitments for males and females respectively in a new shopping arcade (3 950 m<sup>2</sup>) including a restaurant (450 m<sup>2</sup>). In that case, a minimum of 6 waterclosets and 5 urinals for the use of males in the shopping arcade are required, whereas the number of waterclosets required for females is 14. Case 2 shows the minimum numbers of sanitary fitments required for the use of males and females respectively if one more restaurant (300 m<sup>2</sup>) is added to the shopping arcade (of which the total area remains 3 950 m<sup>2</sup>). In Case 2, a minimum of 7 waterclosets and 7 urinals for the use of males in the shopping arcade are required, whereas the number of waterclosets required for females is 15. FEHD will stipulate the required numbers of sanitary fitments for males and females for compliance by an applicant for a restaurant licence. Generally, the owner or property management company of a shopping arcade is responsible for keeping a record of allocation of communal watercloset compartments to ensure that these facilities are sufficient for all persons working and patronizing inside the shopping arcade (including the restaurants inside).

### Impact of the new requirements on certain regulated buildings

29. Pursuant to section 39(2) of BO, the new requirements on provision of sanitary fitments under the Amendment Regulation, to be effective from 14 December 2015, have no retrospective effect. They will only apply to building works of which the commencement has not been approved by BD before that day. As such, new restaurants and existing restaurants that undergo major alteration and addition works after the said date will have to follow the new requirements. Some members have requested the Administration to provide the definition and meaning of "major alteration and addition works" by referring to BO or any other pieces of legislation. Some members have raised the concern that the new requirements may impose hardship on operators of small restaurants. They have requested that the requirements for smaller restaurants should not be too harsh for the operators to follow, and asked whether there will be discrepancies between the requirements under the Amendment Regulation and those imposed by FEHD under its restaurant licensing regime.

30. The Administration has advised that, in relation to restaurants and cinemas, the amendments to the extant Regulations provide different standards for the provision of sanitary fitments in restaurants of different sizes and the Amendment Regulation will align the provision of such fitments in restaurants with the licensing requirements stipulated by FEHD. The Administration has provided the Subcommittee with a comparison of the required numbers of male and female sanitary fitments to be provided in restaurants of different capacities under the licensing requirements and the Amendment Regulation (**Appendix VI**). The comparison demonstrates that for restaurants with different capacities (the banding follows that of the licensing requirements), the numbers of sanitary fitments required to be provided under the Amendment Regulation for males and females and those under the licensing requirements are the same.

#### *Existing restaurants and cinemas*

31. Members have no objection to applying the new requirements on provision of sanitary requirements to new restaurants and cinemas. Hon Tommy CHEUNG has expressed reservation on imposing the new requirements on restaurants which undergo major alteration and addition works. He is concerned that, while many restaurants are required to undergo renovation works by the landlords from time to time, it is not clear whether such works will be regarded as major alteration and addition works. If the renovation works are regarded as major alteration and addition works and would lead to mandatory addition of sanitary fitments,

the concerned restaurant owners might have great difficulties in complying with the requirement, since the addition of sanitary fitments may be constrained by the building structure or design, or, in the case of restaurants in a shopping arcade, the restaurant owner would have no control in providing additional sanitary fitments in the communal toilets. Given that the provision of sanitary fitments in a restaurant is subject to the licensing conditions imposed by FEHD, Mr CHEUNG has queried whether the Amendment Regulation should cover restaurants.

32. Hon MA Fung-kwok is also concerned about the application of the new requirements on provision of sanitary requirements to cinemas undergoing major alteration and addition works, taking in view that existing cinemas would face the same difficulties and constraints in providing additional sanitary fitments as those pointed out by Mr Tommy CHEUNG. Mr MA considers that, given that movie-goers will not all use the toilets at the same time (unlike the situation in a concert hall or a theatre, where the audience can only use the toilets during the short intermission), the provision of waterclosets in cinemas is not in acute shortage. In his view, whereas the Government has failed to improve the provision of sanitary fitments for females in renovated government cultural venues, it is unfair to require existing cinemas, which have been enhancing its facilities from time to time to offer more comfortable and spacious environment to their customers, to follow the new requirements when they undergo major alteration and addition works. Hon WONG Ting-kwong has also called on the Administration to pay heed to the difficulties for owners/operators of existing venues/restaurants to provide additional sanitary fitments, the installation of which may be constrained by the design of the existing drainage system and involve the consent of the property owners of adjacent units (or units on the lower floor).

33. The Administration has explained that pursuant to section 39(2) of BO, new regulations shall apply to all building works (including alteration or addition works) of which the commencement has not been approved by BD. Section 39(2) also applies to the Amendment Regulation. However, in practice, the application of section 39(2) on the alteration of existing buildings depends on the scope and scale of the alteration works. BD has always been adopting a pragmatic approach to scrutinize each application for alteration and addition works.

34. In response to the enquiry about the legal basis of the definition and meaning of "major alteration and addition works" referred to in paragraph 29 above, the Administration has advised the Subcommittee of the application of the amendments by using restaurants and cinemas as

examples. In particular, the Administration has advised members that, as far as restaurants and cinemas are concerned, unless the alteration or addition works involve a change in the use of the premises (such as converting a shop into a restaurant or cinema) or an extension (i.e. extending a restaurant or a cinema to the adjoining premises causing an increase in the area of the restaurant or an increase in the seating capacity of the cinema), etc., that constitutes substantial alterations, the new standards for provision of sanitary fitments under the Amendment Regulation will not be applicable to an existing restaurant or cinema undergoing minor alteration works (for example, internal renovation, a change in the position of the door, alteration to the walk-in-freezer of a restaurant, etc.). In the case of new standards being applicable to alteration or addition works, the Administration has confirmed that, in the light of section 42 of BO, if there are special reasons such as physical constraints of the building, unreasonable difficulties in compliance with the provisions, etc., BD will consider granting modification of or exemption from the provisions of BO<sup>5</sup>.

#### Exemption from following the requirements set out in the Amendment Regulation

35. Hon Tony TSE has suggested that, to facilitate the building professionals' understanding of the types of alteration and addition works that would be exempted by BD from following the requirements on provision of sanitary fitments under the Amendment Regulation and to save the time and efforts of both the building industry and BD from making/processing the applications for exemptions, BD should promulgate a list of exempted works for the information of the industry. The Administration undertook to issue a circular letter to the industry, upon the commencement of operation of the Amendment Regulation, to give sufficient information about the types of alteration and addition works to be exempted.

36. Hon Alan LEONG has enquired how the Administration will ensure that the discretion of BD in granting exemption from following the new requirements will not compromise the objective of the Amendment Regulation, i.e. to enhance the standards for the provision of sanitary fitments in public places for the use of females. The Administration has assured members that, in the light of section 42(4) of BO, any exemption

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<sup>5</sup> Pursuant to section 42(1) of BO, where in the opinion of BA special circumstances render it desirable, he may, on receipt of an application, permit by notice in writing modifications of the provisions of the Ordinance. Section 42(2) of BO provides, among other things, that BA shall consider every application for an exemption on its own merits.

granted or modification permitted by BD under section 42(1) of BO will not be to the prejudice of the standard of structural stability and public health. In special circumstances where BD may grant a permit for minor modification on the number of sanitary fitments required, such deviation will only involve the service standard and will not affect the public health standard.

#### Temporary allocation of male toilets for the use of females

37. Hon CHAN Chi-chuen has queried, whether the practice of temporarily allocating some or most of the male toilets/watercloset compartments in a venue for the use of female persons, e.g. on a day when the venue is used for the performance of a Cantonese Opera, to relieve the long waiting time for the females among the audience, hence departing from the ratio of 1:1.5 for assessing the number of males to that of females in the venue, would contravene the statutory requirements on provision of sanitary fitments.

38. The Administration has advised that while in general, the numbers of male and female sanitary fitments for each premises should be provided in accordance with the statutory requirements, in case of special circumstances (such as in a period where there are only females), allowing women to use the men's toilet, without involving any unauthorized building works, is a matter of building management and is not under the purview of BO.

#### Offering incentives to developers for providing more sanitary fitments in buildings

39. Hon Alan LEONG has enquired 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. Hon Abraham SHEK has suggested that the Administration should consider excluding the floor area used for providing sanitary fitments as required under the Amendment Regulation from being counted in the plot ratio of a development.

40. The Administration has stressed that it is a statutory requirement to provide appropriate sanitary fitments in premises. The Administration has no intention to provide incentives to developers in the form of plot ratio concession 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 consultation and should not be easily changed. Since BD updated the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers ADV-28 ("the Practice Note") in 2012 with a view to providing guidance to the construction industry for voluntary adoption of a male to female ratio of 1:1.5 in the assessment of the population in public places, as well as provision of unisex toilets and sanitary fitments for the use of children in new building projects, the results have been positive. Among the new building projects involving shopping arcades with occupation permits issued and plans approved from January to June 2015, about 50% and 75%<sup>6</sup> of the new projects with occupation permit issued and plans approved respectively have adopted the recommended male to female ratio. The Administration considers that the developers actually have taken into account users' needs as well as commercial factors in adopting a higher standard for the provision of sanitary fitments than the statutory minimum requirements.

#### Government premises and railway stations

41. Hon MA Fung-kwok and Hon Cyd HO have pointed out that, in the venues for cultural events such as concert halls and theatres, the waiting time of female visitors for using the toilet is especially long as all the audience use the toilet at the same time, i.e. during the intermission. They have asked how the new requirements under the Amendment Regulation could address the problem. The Administration has explained that the amendments to the extant Regulations are about the standards for the provision of sanitary fitments in private buildings but not government buildings.

42. Given that the new requirements under the Amendment Regulation do not apply to government premises<sup>7</sup> such as public hospitals, public piers, libraries, schools, etc., some members have suggested that the Administration should set an example to developers and the building industry by undertaking to improve the provision of sanitary fitments in existing government premises when they undergo major alteration and addition works in future in accordance with the standards set out in the Amendment Regulation, and new government buildings should follow or exceed the new standard.

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<sup>6</sup> According to the total floor area

<sup>7</sup> Section 41(1)(a) of BO provides that buildings belonging to the Government shall be exempt from the provisions of BO.

43. The Administration has assured members that according to the internal guideline of the Architectural Services Department ("ArchSD"), all works projects under its purview must comply with BO and its allied regulations as well as the Practice Notes in force at the time. Since BD updated the Practice Note 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 suitable for the use of children as far as practicable.

44. In view of the needs of passengers who take relatively long journeys on a train, Hon Gary FAN has enquired whether the requirements under the Amendment Regulation will apply to the new Mass Transit Railway ("MTR") stations along the new railway lines to be commissioned in the near future. The Administration has explained that pursuant to section 54 of the Mass Transit Railway Ordinance (Cap. 556), BA has, having regard to the exceptional nature of the building works connected with the operation or construction of the railway, exempted any of those works from any provision of BO. A committee formed by relevant bureaux/departments (including the Transport and Housing Bureau ("THB"), BD and Fire Services Department) will scrutinize the building proposals to ensure the design and construction of building works meet the structural and fire safety standards. According to the information provided by THB, the MTR Corporation Limited ("MTRCL") will, where feasible, provide toilets in MTR stations for passengers in accordance with operational and passengers' needs. When designing and planning new railway lines, MTRCL will provide toilets for passengers in or near the new stations.

45. The Subcommittee will request that the Panel on Development should follow up the enhancement in the provision of sanitary fitments in government premises and MTR stations with the Administration, the Hospital Authority and MTRCL. Hon Cyd HO has suggested that the Women Commission should actively follow up the improvement of provision of sanitary fitments for female users in government premises as part of its work in promoting gender mainstreaming.

#### Gender implications

46. The Subcommittee notes the gender implications of the amendments and has enquired about the basis for the Administration to state that enhancement in the level of provision of sanitary fitments for



females in public places will not lead to less favourable treatment of men, and hence will not give rise to allegations of gender discrimination.

47. The Administration has stressed that, in developing the Amendment Regulation, it has taken into account empirical data on the provision of sanitary fitments in various public places, the level of usage, queuing time, usage time, level of satisfaction, etc., and made reference to the relevant standards adopted in other jurisdictions as well as stakeholders' views. The Administration believes that, after the implementation of the new standards, on average, men will unlikely have to wait longer than women for the use of toilets in public places, i.e. the access to the sanitary facilities enjoyed by male users will not be of a lower standard than that enjoyed by female users. The Department of Justice has advised that the enhancement in the level of provision of female sanitary fitments in public places as set out in the Amendment Regulation will not give rise to the issue of less favourable treatment of men.

48. According to the Administration, the Equal Opportunities Commission welcomes the introduction of the Amendment Regulation and considers that the Amendment Regulation will not give rise to allegations of gender discrimination as the enhancement in the level of provision of female sanitary fitments in public places is in response to actual needs. The Commission has submitted to the Subcommittee that it is advisable for the Administration to adopt a review system to consider if there is a need to further revise the ratio of the number of males to that of females for certain venues such as concert halls, cinemas and conference facilities on a regular basis.

#### Facilities for children and babies and unisex toilets

49. While welcoming the Administration's initiative under the Amendment Regulation to enhance the standard for the provision of sanitary fitments for the use of females in public places, the Chairman and some members, including Hon Gary FAN and Hon KWOK Wai-keung, have urged the Administration to introduce measures, including legislation, to require that facilities for babies and children, such as changing tables, waterclosets and lavatory basins suitable for the use of children, baby seats inside watercloset compartments, should be provided in male and female toilets in large public places. Members generally agree that provision of feeding rooms for babies should also be required in such places, and such rooms should not be located inside toilets.

50. The Administration has advised that BD issued a Practice Note (No. ADV-32) in 2009 recommending the provision of feeding rooms for babies in private commercial buildings for voluntary adoption. The Administration considers that it might not be appropriate for the extant Regulations, which are related to sanitary fitments and the hygiene of private buildings, to provide for the provision of feeding rooms for babies. The Practice Note (No. ADV-28) also includes recommendations on the provision of sanitary fitments that are suitable for the use of children in private buildings. The Administration has no intention to incorporate those facilities recommended in the two Practice Notes into the statutory requirements. Moreover, according to the consultancy study commissioned by BD, there is no statutory requirement for the provision of sanitary fitments for use of children in other comparable jurisdictions such as UK, US and Singapore. BD will continue, through updating the Practice Note regularly, to recommend to the industry the incorporation of family-friendly facilities in the design of buildings.

51. Hon CHAN Chi-chuen and Dr Hon Helena WONG have asked whether the Administration would consider introducing statutory requirements for the provision of unisex toilets in public places, and providing such toilets in government buildings. Mr CHAN is of the view that the provision of unisex toilets will meet the needs of transgender persons and the users who need to take care of family members of the opposite gender. Dr WONG considers that the provision of such toilets will help reduce the long waiting time for female toilet users.

52. The Administration has advised that in the Practice Note, BD recommends to the building industry the provision of unisex toilets in buildings. As to whether statutory requirements should be introduced, the consultancy study commissioned by BD has recommended that in-depth studies on the subject would be required. The Administration will convey the suggestions of Mr CHAN and Dr WONG about providing unisex toilets in government buildings to the relevant government departments for consideration.

53. The Subcommittee will request that the Panel on Development should follow up the issues related to provision of sanitary fitments for children and babies and unisex toilets in private and government premises.

#### Enhanced provision of toilets for persons with disabilities in public places

54. Hon MA Fung-kwok has suggested that, with the population of Hong Kong ageing and the number of elderly people using wheelchairs

increasing, the Administration should consider requiring that more toilets for persons with disabilities or toilets suitable for the elderly be provided in public places. Such toilets can also be used as unisex toilets to facilitate the users who have to be accompanied by family members of the opposite gender.

55. The Administration has explained that the provision of toilets for persons with disabilities is governed by the Building (Planning) Regulations (Cap. 123F). Cap. 123F is supplemented by the *Design Manual: Barrier Free Access 2008* ("Design Manual 2008") which has incorporated the statutory design requirements as well as recommendations for best practice to improve barrier free access. BD has set up a technical committee to, among others, collect and consider the views and feedback from the building industry and relevant stakeholder organizations arising from their practical experience in the use of Design Manual 2008. Based on the recommendations of the technical committee, BD revises the recommended design requirements from time to time. The Administration will convey Mr MA's views to the technical committee.

#### Building (Administration) (Amendment) (No. 2) Regulation 2015

56. The Building (Administration) (Amendment) (No. 2) Regulation 2015 amends regulation 8(1)(k)(i) of the Building (Administration) Regulations (Cap. 123A) by replacing "usable floor space" with "usable floor area", consequential to the amendments made by the Amendment Regulation to the extant Regulations. The Subcommittee has studied whether the amendment will result in any increase or reduction of the number of persons assessed to be accommodated in the concerned premises, and any impact on the number of sanitary fitments to be provided.

57. The Administration has clarified that the amendment seeks to improve the clarity of the relevant provisions. In view of the adoption of the term "usable floor area" in the Code of Practice for the Provision of Means of Escape in Case of Fire, the consultancy study commissioned by BD has recommended that this term could clearly express how to determine the number of persons being accommodated in a premises. The Administration has confirmed that such a change will have no substantial effect on the provision of sanitary fitments. It has also advised that in the future updating of BO and the Building Regulations under BO, the term "usable floor area" will be used consistently, where appropriate.

### Follow-up actions

58. With reference to paragraph 22 above, the Administration is requested to report to the Panel on Development in due course the effectiveness of the implementation of the new standards set out in the Amendment Regulation and its plan for reviewing the standards from time to time. With reference to paragraphs 45 and 53 above, the Subcommittee will request that the Panel on Development should follow up the issues related to the enhancement in the provision of sanitary fittings in government premises and MTR stations, and the provision of baby care rooms, toilets for children and unisex toilets in private and government buildings with the Administration, the Hospital Authority and MTRCL.

### **Recommendation**

59. The Subcommittee is generally in support of the two Amendment Regulations and will not propose any amendment. The Subcommittee notes that the Administration will not move any amendment to the two Amendment Regulations.

### **Advice sought**

60. Members are invited to note the deliberations of the Subcommittee.

### **Determination of numbers of male and female sanitary fitments required to be provided in private buildings\***

The numbers of male and female sanitary fitments required to be provided in private buildings are determined in two parts --

- (a) The first part is to assess the numbers of males and females in a premises according to the building types and areas. For assessing the number of males and females in public places (including places of public entertainment, cinemas, shopping arcades and department stores, religious institutions and funeral parlours), the male to female ratio has been amended to 1:1.5 under the Amendment Regulation so as to increase the provision of female sanitary fitments.
- (b) The second part is to deduce the numbers of male and female sanitary fitments based on the numbers of males and females assessed in the first part. Having considered the different needs of males and females, the provision of watercloset fitments for females should be higher than that for males given the same number of persons.

2. As an illustration, for a cinema with a seating capacity of 600, under the male to female ratio of 1:1.5, it is expected that there will be 240 male and 360 female movie-goers. According to the standards for the provision of sanitary fitments on the basis of the assessed numbers of male and female movie-goers (*as set out in Table 14 and Table 15 of the Amendment Regulation*), the cinema will have to provide a minimum of 7 female and 2 male watercloset fitments (together with 3 urinals), which amount to a male to female watercloset fitment ratio of 1:3.5. The number of female watercloset fitments is 2.3 times the number under the present standard where a minimum of 3 watercloset fitments are required.

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\* Sources of information: Paper provided by the Administration to the Subcommittee [LC Paper No. CB(1)90/15-16(07)] and the Amendment Regulation

<b>Table 14 (of the Amendment Regulation)</b>		
<b>Number of Watercloset Fitments and Urinals Provided for Male Persons in Cinema</b>		
Column 1	Column 2	Column 3
Number of male persons in cinema	Number of watercloset fitments	Number of urinals
1. Not more than 200	1	1 for every 100 male persons or part of those persons
2. 201-500	2	1 for every 100 male persons or part of those persons
3. 501-1 000	3	1 for every 100 male persons or part of those persons
4. More than 1 000	3 plus 1 for every 500 male persons, or part of those persons, over 1 000	1 for every 100 male persons or part of those persons

<b>Table 15 (of the Amendment Regulation)</b>	
<b>Number of Watercloset Fitments Provided for Female Persons in Cinema</b>	
Column 1	Column 2
Number of female persons in cinema	Number of watercloset fitments
1. Not more than 120	1 for every 40 female persons or part of those persons
2. 121-250	3 plus 1 for every 65 female persons, or part of those persons, over 120
3. 251-420	5 plus 1 for every 85 female persons, or part of those persons, over 250
4. More than 420	7 plus 1 for every 100 female persons, or part of those persons, over 420

3. Taking another illustration, for a place of public entertainment with a seating capacity of 600, according to the male to female ratio of 1:1.5 and the respective standards of sanitary fitments for places of public entertainment (*as set out in Table 8 and Table 9 of the Amendment Regulation*), the place will have to provide at least 13 female and 3 male watercloset fitments (together with 5 urinals), which amount to a male to female watercloset fitment ratio of 1:4.3. With the combined effects of the

male to female ratio as well as the standard in Table 9, the number of female watercloset fitments is 2.6 times the number under the present standard, where a minimum of 5 watercloset fitments are required.

<b>Table 8 (of the Amendment Regulation)</b>		
<b>Number of Watercloset Fitments and Urinals Provided for Male Persons in Place of Public Entertainment</b>		
Column 1	Column 2	Column 3
Number of male persons in place of public entertainment	Number of watercloset fitments	Number of urinals
1. Not more than 400	1 for every 100 male persons or part of those persons	1 for every 50 male persons or part of those persons
2. More than 400	4 plus 1 for every 250 male persons, or part of those persons, over 400	1 for every 50 male persons or part of those persons

<b>Table 9 (of the Amendment Regulation)</b>	
<b>Number of Watercloset Fitments Provided for Female Persons in Place of Public Entertainment</b>	
Column 1	Column 2
Number of female persons in place of public entertainment	Number of watercloset fitments
1. Not more than 250	2 for every 50 female persons or part of those persons
2. More than 250	10 plus 1 for every 40 female persons, or part of those persons, over 250

**Comparison of the Numbers of Sanitary Fitments prescribed under the extant Regulations and the Amendment Regulation in Three Types of Buildings<sup>#</sup>**

***(I) Shopping arcades and department stores (Basement, G/F, 1/F and 2/F)***

Example  Area (m <sup>2</sup> )	Number of Sanitary Fitments ("SF") prescribed in the extant Regulations				Number of SF prescribed in the Amendment Regulation			Increase/Decrease in Provision of SF (%)		Under the Amendment Regulation		
		No. of Persons <sup>8</sup>	No. of Water-closets (WC)	No. of urinals		No. of Persons <sup>9</sup>	No. of WC	No. of urinals	Male (M)	Female (F)	Ratio of SF for Male to Female	Ratio of WC for Male to Female
	M				M							
500	M	17	1	1	M	67	1	1	0		1:1.5	1:3
	F	17	2		F	100	3			+50		
1 500	M	50	2	1	M	200	2	1	0		1:2	1:3
	F	50	3		F	300	6			+100		
2 500	M	83	4	2	M	333	3	2	-17		1:1.6	1:2.7
	F	83	5		F	500	8			+60		
3 500	M	117	5	3	M	467	4	2	-25		1:1.8	1:2.8
	F	117	6		F	700	11			+83		
5 000	M	167	6	4	M	667	5	3	-20		1:1.8	1:2.8
	F	167	8		F	1 000	14			+75		
30 000	M	1 000	22	20	M	4 000	18	16	-19		1:2.1	1:3.9
	F	1 000	41		F	6 000	71			+73		

<sup>#</sup> Source of information: Paper provided by the Administration to the Subcommittee [LC Paper No. CB(1)90/15-16(07)]

<sup>8</sup> The population of the premises is assessed by a factor of 15 square metres / person and the ratio of male to female is 1:1.

<sup>9</sup> The population of the premises is assessed by a factor of 3 square metres / person and the ratio of male to female is 1:1.5.



**(II) Cinemas**

Example	Number of Sanitary Fitments ("SF") prescribed in the extant Regulations				Number of SF prescribed in the Amendment Regulation			Increase/ Decrease in Provision of SF (%)		Under the Amendment Regulation		
	Seating Capacity	No. of Persons <sup>10</sup>	No. of WC	No. of urinals	No. of Persons <sup>11</sup>	No. of WC	No. of urinals	Male (M)	Female (F)	Ratio of SF for Male to Female	Ratio of WC for Male to Female	
250	M	125	1	2	M	100	1	1	-33		1:2	1:4
	F	125	2		F	150	4		+100			
350	M	175	1	2	M	140	1	2	0		1:1.7	1:5
	F	175	2		F	210	5		+150			
500	M	250	2	3	M	200	1	2	-40		1:2	1:6
	F	250	2		F	300	6		+200			
600	M	300	2	3	M	240	2	3	0		1:1.4	1:3.5
	F	300	3		F	360	7		+133			
750	M	375	2	4	M	300	2	3	-17		1:1.6	1:4
	F	375	3		F	450	8		+167			
1 000	M	500	2	5	M	400	2	4	-14		1:1.5	1:4.5
	F	500	3		F	600	9		+200			

<sup>10</sup> The population of the premises is based on actual seating capacity and the ratio of male to female is 1:1.

<sup>11</sup> The population of the premises is based on actual seating capacity and the ratio of male to female is 1:1.5.

***(III) Places of Public Entertainment***

Example	Number of Sanitary Fitments ("SF") prescribed in the extant Regulations			Number of SF prescribed in the Amendment Regulation			Increase/ Decrease in Provision of SF (%)		Under the Amendment Regulation		
	Seating Capacity	No. of Persons <sup>12</sup>	No. of WC	No. of urinals	No. of Persons <sup>13</sup>	No. of WC	No. of urinals	Male (M)	Female (F)	Ratio of SF for Male to Female	Ratio of WC for Male to Female
200	M	100	1	2	M	80	1	2	0	1:2	1:6
	F	100	2		F	120	6		+200		
600	M	300	3	6	M	240	3	5	-11	1:1.6	1:4.3
	F	300	5		F	360	13		+160		
1 000	M	500	5	10	M	400	4	8	-20	1:1.6	1:4.8
	F	500	7		F	600	19		+171		
2 000	M	1 000	7	20	M	800	6	16	-19	1:1.5	1:5.7
	F	1 000	12		F	1 200	34		+183		
3 000	M	1 500	9	30	M	1 200	8	24	-18	1:1.5	1:6.1
	F	1 500	17		F	1 800	49		+188		
10 000	M	5 000	23	100	M	4 000	19	80	-20	1:1.6	1:8.1
	F	5 000	52		F	6 000	154		+196		

<sup>12</sup> The population of the premises is based on actual seating capacity and the ratio of male to female is 1:1.

<sup>13</sup> The population of the premises is based on actual seating capacity and the ratio of male to female is 1:1.5.

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

**Membership list**

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**Members** Hon Abraham SHEK Lai-him, GBS, JP  
Hon Tommy CHEUNG Yu-yan, GBS, JP  
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(Total : 17 members)

**Legal Adviser** Miss Evelyn LEE

**Clerk** Ms Sharon CHUNG

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

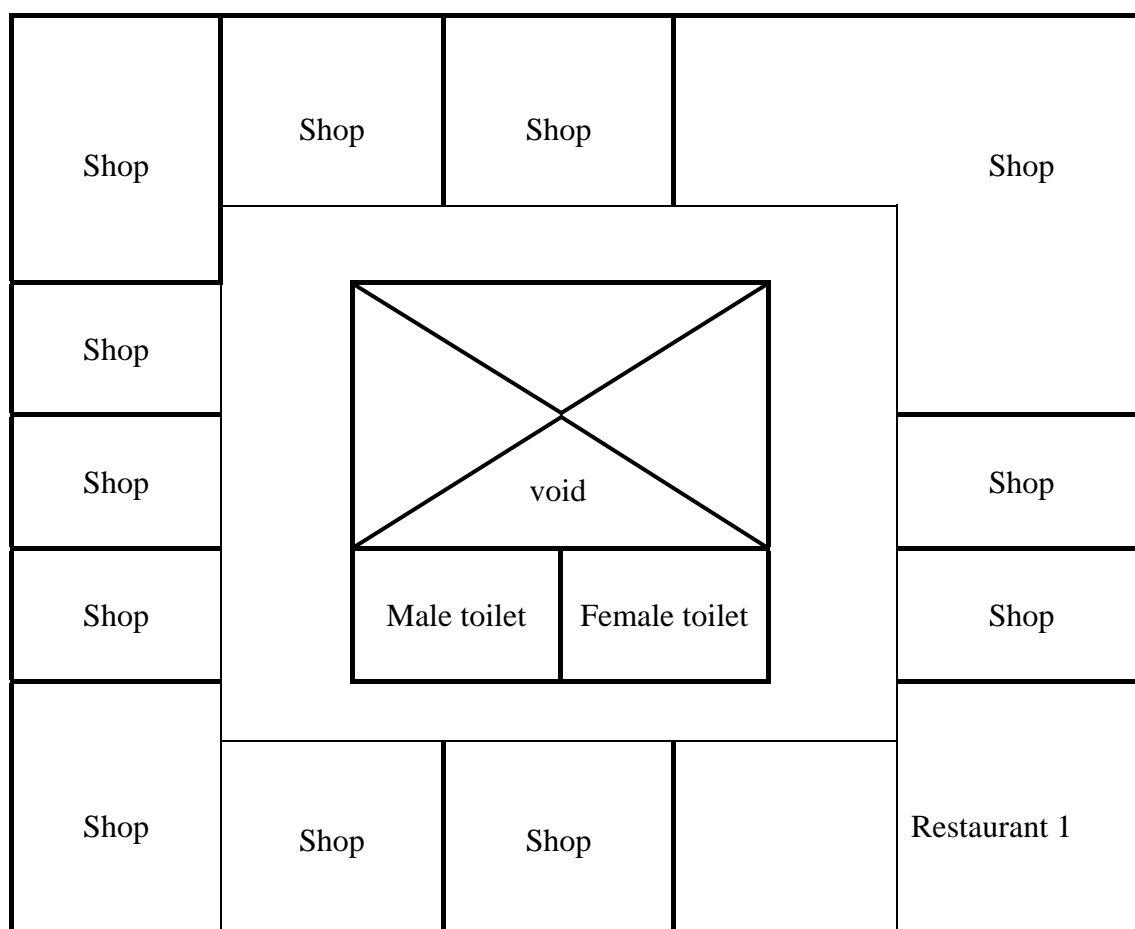
**List of the organizations which have given views to the Subcommittee**

1. Association Concerning Sexual Violence Against Women
2. Equal Opportunities Commission
3. Hong Kong Catering Industry Association
4. The Hong Kong Institute of Surveyors
5. Hong Kong Ladies Dynamic Association
6. Hong Kong Theatres Association Limited
7. Hong Kong Women Development Association Limited
8. The Real Estate Developers Association of Hong Kong
9. Women's Commission
10. 香港工會聯合會婦女事務委員會

## Appendix V

### Numbers of sanitary fitments required to be provided for the use of males and females in a shopping arcade with restaurants<sup>∅</sup>

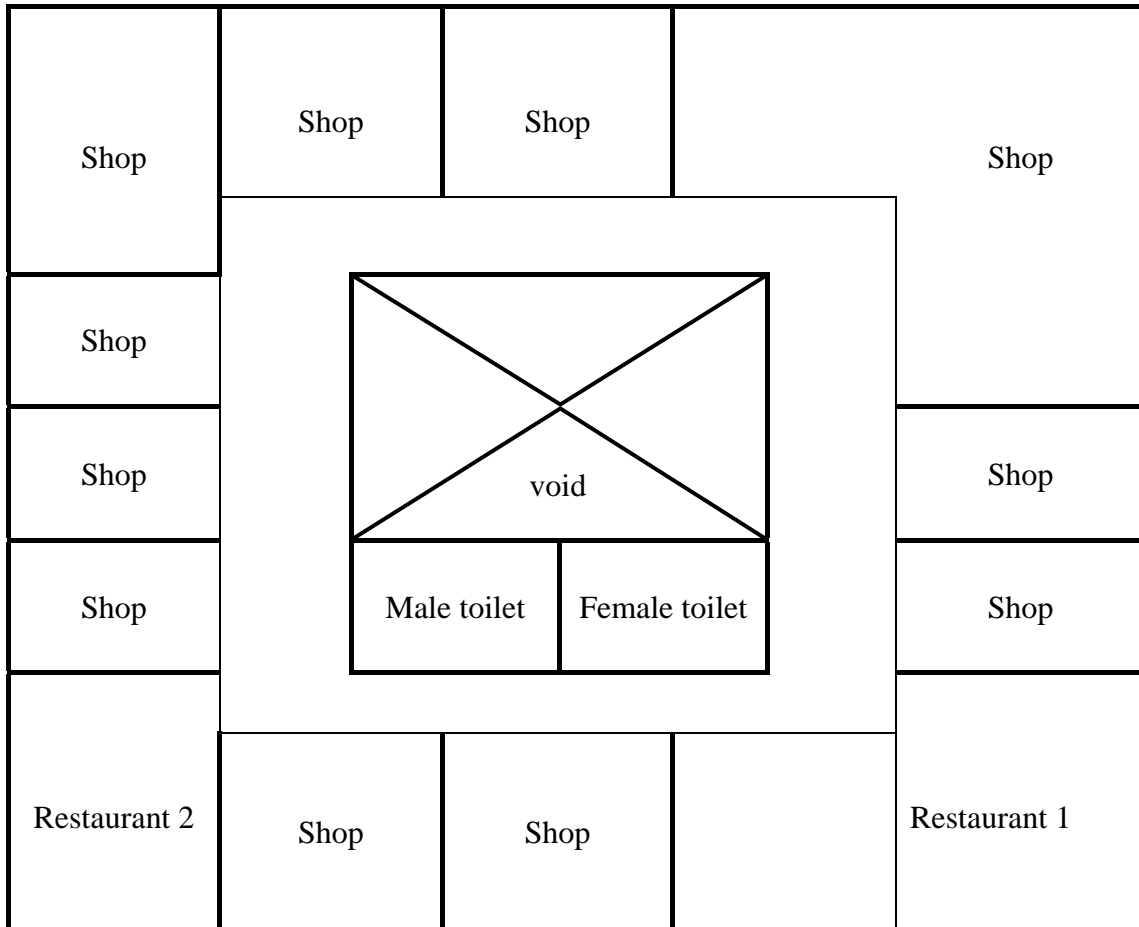
#### *Case 1 : New shopping arcade witha restaurant*



	Area (m <sup>2</sup> )	Population factor	No. of persons		No. of WC	No. of urinals	No. of basins
<b>Shopping arcade</b>	3 500	3 m <sup>2</sup> /person	1 167	M 466	4	2	4
				F 701	11	/	5
<b>Restaurant 1</b>	450	1.5 m <sup>2</sup> /person	300	M 120	2	3	2
				F 180	3	/	2
<b>Total no. of sanitary fitments required</b>			<b>M</b>		<b>6</b>	<b>5</b>	<b>6</b>
			<b>F</b>		<b>14</b>	/	<b>7</b>

<sup>∅</sup> Source of information: Paper provided by the Administration to the Subcommittee [LC Paper No. CB(1)90/15-16(07)]

**Case 2 : Shopping arcade in Case 1 being altered to accommodate one more restaurant (Restaurant 2)**



	Area (m <sup>2</sup> )	Population factor	No. of persons		No. of WC	No. of urinals	No. of basins	
<b>Shopping arcade</b>	3 200	3 m <sup>2</sup> /person	1 067	M	427	4	2	4
				F	640	10		5
<b>Restaurant 1</b>	450	1.5 m <sup>2</sup> /person	300	M	120	2	3	2
				F	180	3		2
<b>Restaurant 2</b>	300	1.5 m <sup>2</sup> /person	200	M	80	1	2	1
				F	120	2		1
<b>Total no. of sanitary fitments required</b>			<b>M</b>		<b>7</b>	<b>7</b>	<b>7</b>	
			<b>F</b>		<b>15</b>		<b>8</b>	

Amended figures

## Appendix VI

### Comparison of the Numbers of Sanitary Fitments ("SF") required for the Use of Males and Females in Restaurants of Different Capacities under Licensing Requirements and the Amendment Regulation<sup>⊕</sup>

No. of customers	Number of SF Required under Licencing Requirements				Number of SF Required under the Amendment Regulation				
		No. of Water-closets	No. of Urinals	No. of Basins		No. of Persons	No. of Water-closets	No. of Urinals	No. of Basins
< 25	M	1	1	1	M	< 10	1	1	1
	F				F	< 15			
25	M	1	1	1	M	10	1	1	1
	F	1		1	F	15	1		1
100	M	1	1	1	M	40	1	1	1
	F	1		1	F	60	1		1
101	M	1	2	1	M	41	1	2	1
	F	2		1	F	61	2		1
200	M	1	2	1	M	80	1	2	1
	F	2		1	F	120	2		1
201	M	2	3	2	M	81	2	3	2
	F	3		2	F	121	3		2
300	M	2	3	2	M	120	2	3	2
	F	3		2	F	180	3		2
> 300	According to the licensing requirements, the provision of SF should conform to the requirements stipulated under the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations.								

<sup>⊕</sup> Source of information: Paper provided by the Administration to the Subcommittee [LC Paper No. CB(1)71/15-16(01)]