

LEGISLATIVE COUNCIL BRIEF

Buildings Ordinance (Cap. 123)

BUILDING (STANDARDS OF SANITARY FITMENTS, PLUMBING, DRAINAGE WORKS AND LATRINES) (AMENDMENT) REGULATION 2015

BUILDING (ADMINISTRATION) (AMENDMENT) (NO. 2) REGULATION 2015

INTRODUCTION

In exercise of the power conferred by section 38 of the Buildings Ordinance (Chapter 123) (“BO”), the Secretary for Development has made the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) (Amendment) Regulation 2015 (“the Amending Regulation”) and the Building (Administration) (Amendment) (No. 2) Regulation 2015 (collectively “the Amendment Regulations”) as set out at **Annexes A and B** respectively, to modernise and update the standards for the provision of sanitary fitments in private buildings.

A & B

JUSTIFICATIONS

2. We have adopted a two-stage approach to amend the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (“the principal Regulations”), which were first enacted in 1959 and have become outdated. The Amending Regulation covers the first-stage amendments and includes the following changes –

- (a) introduction of new categories of building uses for the purpose of determining the number of sanitary fitments to be provided;
- (b) enhancement of the standards for the provision of female sanitary fitments in public places, such as cinemas and places of public entertainment;
- (c) rationalisation of the standards for the provision of sanitary fitments in restaurants; and
- (d) other technical amendments and drafting changes.

Introduction of new categories of building uses

3. Under the principal Regulations, buildings are classified by their uses for the purpose of determining the number of sanitary fitments to be provided. There are five categories of building uses in the extant principal Regulations –

- (a) residential buildings;
- (b) offices, industrial undertakings and other places of work;
- (c) places of public entertainment;
- (d) cinemas; and
- (e) restaurants.

4. In order to cover the increased diversity of building uses in Hong Kong, the Amending Regulation will introduce the following additional categories of uses –

- (f) sports stadia;
- (g) shopping arcades and department stores;
- (h) religious institutions; and
- (i) funeral parlours.

The definitions of the existing categories of building uses will also be refined and updated. With these changes, the principal Regulations should cover most of the building uses in Hong Kong, without duplicating the provisions in other legislation which govern the provision of sanitary fitments in, for instance, child care centres, schools and boarding schools, clubs, etc., and those for disabled persons.

Enhancement of the standards for the provision of female sanitary fitments

5. The extant principal Regulations prescribes the minimum standard of sanitary fitments (including the numbers of waterclosets, urinals, lavatory basins, baths and showers) to be provided in different categories of building uses. In recognition of the different capacity of the venues, as well as the differences between males and females in the demand for sanitary fitments, usage time, etc., the Amending Regulation provides different standards for the provision of male and female sanitary fitments in different types of premises.

6. In view of public aspirations for more female sanitary fitments in public places, and having taken into account the recommendations of an independent consultant engaged by the Buildings Department (“BD”) and stakeholders’ views, the Amending Regulation will enhance the standards for the provision of female sanitary fitments. In particular, the Amending Regulation will adopt a ratio of 1:1.5 for assessing the number of male to that of female in public places, including places of public entertainment, cinemas, shopping arcades and department stores, religious institutions and funeral parlours. This will increase the number of female sanitary fitments to be provided in those building uses. Likewise, the Amending Regulation will revise the relevant ratio for offices from the current 2:1 to 1:1 to increase the provision of female sanitary fitments. The ratio of 1:1 will also be applicable to the newly introduced building use of sports stadia.

Rationalisation of the standard for restaurants

7. In line with the enhanced standards for public places as mentioned in paragraph 6 above, the Amending Regulation will enhance the ratio of assessing the number of male to that of female in restaurants from 1:1 to 1:1.5. At the same time, the standards will be rationalised so that the size of the restaurants will also be taken into account. Taking the changes together, the Amending Regulation will align the provision of sanitary fitments in restaurants with the licensing requirements stipulated by the Food and Environmental Hygiene Department.

Other technical amendments and drafting changes

8. We have taken the opportunity of this legislative exercise to introduce some technical amendments and drafting changes to the principal Regulations. Most of these amendments and changes seek to improve the clarity of the relevant requirements.

THE AMENDMENT REGULATIONS

A & B 9. The Amendment Regulations at **Annexes A and B** will put the amendments mentioned in paragraphs 3 to 8 above into effect. The key provisions are in the Amending Regulation and the major provisions are as follows –

- (a) *section 1* provides for the commencement;
- (b) *sections 3 and 4* set out the interpretation of the terms used, which includes new interpretations and refinements of existing interpretations;
- (c) *sections 5, 6, 7, 9 and 11* provide for the changes to the standards for the provision of sanitary fitments in the existing categories of building uses, including residential buildings, workplaces, places of public entertainment, cinemas and restaurants; and
- (d) *sections 8 and 10* set out the standards for the provision of sanitary fitments in the new categories of building uses, including sports stadia, shopping arcades and department stores, religious institutions and funeral parlours.

10. The other provisions in the Amending Regulation and the Building (Administration) (Amendment) (No. 2) Regulation 2015 are technical and consequential amendments.

LEGISLATIVE TIMETABLE

11. The Amendment Regulations will be gazetted on 9 October 2015 and tabled at the Legislative Council for negative vetting on 14 October 2015.

IMPLICATIONS OF THE PROPOSAL

Legal Implications

12. The Amendment Regulations are in conformity with the Basic Law, including provisions concerning human rights. They will not affect the binding effect of the existing provisions of BO and its subsidiary legislations.

Gender Implications

13. The Amendment Regulations have a gender perspective. The proposed enhanced standards for the provision of sanitary fitments can fulfil public aspirations for more female sanitary fitments in public places. The physiological differences between male and female as well as the differences in the duration and frequency of use of sanitary fitments by them have been duly taken into account in formulating the amendments. The amendments would not result in discrimination against men or women. The enhanced standards for the provision of female sanitary fitments in

public places will unlikely result in a situation where, on average, male will have to wait longer than female for the use of toilets in public places.

Other Implications

14. The Amendment Regulations have no civil service, economic, financial, productivity, environmental, competition or sustainability implications.

PUBLIC CONSULTATION

15. We consulted the Panel on Development of the Legislative Council on 5 January 2015. Members were generally supportive of the amendments covered by the Amendment Regulations.

16. BD has consulted relevant committees and professional bodies, including the Building Sub-committee of the Land and Development Advisory Committee, the Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers Committee, the Women's Commission, the Hong Kong Institute of Architects, the Hong Kong Institution of Engineers, the Hong Kong Institute of Surveyors, as well as other relevant organisations such as the Hong Kong Toilet Association, Ladies Committee of the Chinese General Chambers of Commerce and the Hong Kong Federation of Women, on the amendments covered by the Amendment Regulations. They were supportive of the amendments.

PUBLICITY

17. A press release will be issued on 9 October 2015 when the Amendment Regulations are published in the Gazette and a Government spokesman will be made available to answer media enquiries.

18. BD will publicise the Amendment Regulations via its website and through communication with building professionals and industry practitioners.

BACKGROUND

19. The principal Regulations govern the standards for the provision of sanitary fitments, as well as the planning, design and construction of plumbing, drainage and wells in private buildings. First enacted in 1959, the principal Regulations have become outdated with the development in

design and construction of sanitary wares and plumbing systems.

20. Taking into account the findings of a consultancy study, BD has completed a comprehensive review of the principal Regulations. In the light of the review findings, we have launched an exercise to overhaul the principal Regulations. 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 private 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.

21. Given the scope and complexity of the exercise, we envisage that it will take some time to complete. As there are public aspirations for early enhancement of the statutory standards for the provision of sanitary fitments in public places, we have therefore adopted a two-stage approach to take forward the exercise. We will amend the principal Regulations to enhance the standards for the provision of sanitary fitments in public places at the first stage, whereas other amendments to the principal 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. The Amendment Regulations cover the first-stage amendments to the principal Regulations.

22. In general, the enhanced standards for the provision of sanitary fitments will be applicable to new buildings and to existing buildings when they undergo major alteration and addition works.

ENQUIRIES

23. Enquiries on this brief can be addressed to Mr Arsene Yiu, Principal Assistant Secretary (Planning and Lands) 3 of the Development Bureau at 3509 8806.

Development Bureau
October 2015

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

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

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

(Made by the Secretary for Development under section 38 of the Buildings
Ordinance (Cap. 123))

1. Commencement

This Regulation comes into operation on 14 December 2015.

**2. Building (Standards of Sanitary Fitments, Plumbing, Drainage
Works and Latrines) Regulations amended**

The Building (Standards of Sanitary Fitments, Plumbing, Drainage
Works and Latrines) Regulations (Cap. 123 sub. leg. I) are
amended as set out in sections 3 to 14.

3. Regulation 2 amended (interpretation)

Regulation 2—

Repeal the definition of *cinema*.

4. Regulation 3 amended (interpretation of Part II)

(1) Regulation 3, Chinese text, definition of 學校—

Repeal

“義。”

Substitute

“義；”。

(2) Regulation 3—

(a) definition of *factory*, *mine* and *industrial undertaking*;

- (b) definition of *habitable space*;
- (c) definition of *living room*;
- (d) definition of *public dance hall*;
- (e) definition of *usable floor space*—

Repeal the definitions.

(3) Regulation 3—

Add in alphabetical order

“cinema (電影院)” means a building or part of a building
which is designed for cinematographic displays;

department store (百貨公司) has the meaning given by
section 2 of Schedule 1 to the Fire Safety (Commercial
Premises) Ordinance (Cap. 502);

factory (工廠) has the meaning given by section 2(1) of the
Factories and Industrial Undertakings Ordinance (Cap.
59);

food room (食物室) has the meaning given by section 3(1) of
the Food Business Regulation (Cap. 132 sub. leg. X);

funeral parlour (殯儀館) means a building or part of a
building which is designed for performing funeral
services;

industrial undertaking (工業經營)—

(a) has the meaning given by section 2(1) of the
Factories and Industrial Undertakings Ordinance
(Cap. 59); but

(b) does not include a food room of a restaurant;

place of public entertainment (公眾娛樂場所)—

(a) has the meaning given by section 2 of the Places of
Public Entertainment Ordinance (Cap. 172); but

- (b) does not include a sports stadium or cinema;

religious institution (宗教機構)—

- (a) means a building or part of a building which is designed for holding services or saying prayers by congregations loyal to a belief in accordance with the practice of religious principles; and
- (b) includes a place referred to in paragraph (b) of the definition of *Chinese temple* in section 2 of the Chinese Temples Ordinance (Cap. 153);

restaurant (食肆) has the meaning given by section 31(2) of the Food Business Regulation (Cap. 132 sub. leg. X);

shopping arcade (商場) includes the passageways connecting the shops that form the arcade;

sports stadium (體育場) means a building or part of a building which is designed for sporting activities;

usable floor area (實用樓面面積), except in regulation 7A(3)(a), in relation to a building—

- (a) means the aggregate of the areas of the floors in the building; but
- (b) does not include—
- (i) any staircase, public circulation space, lift landing, kitchen in a self-contained flat or lavatory in the building; or
 - (ii) any space occupied by machinery for a lift, or for the air-conditioning or utility system or any other similar service, provided for the building;

workplace (工作地點) means—

- (a) an office;

- (b) an industrial undertaking;
- (c) a shop that is neither within a shopping arcade nor within a department store; or
- (d) a food room of a restaurant, where the number of persons in the restaurant (determined in accordance with regulation 8(2)(a)) is more than 300.”.

5. Regulation 4 amended (residential buildings)

- (1) Regulation 4(1)(a)—

Repeal

“shall be not less than the number specified in Table I”

Substitute

“must be not less than the number specified in Table 1”.

- (2) Regulation 4(1)(b)—

Repeal

everything after “, the number of watercloset fitments”

Substitute

“provided for—

- (i) male persons must be not less than the number specified in Part 1 of Table 2; and
- (ii) female persons must be not less than the number specified in Part 2 of Table 2;”.

- (3) Regulation 4(1)(c)—

Repeal

“for male persons shall be not less than the number specified in Table IV;”

Substitute

“provided for male persons must be not less than the number specified in Table 3; and”.

- (4) Regulation 4(1)(d)—

Repeal

everything after “lavatory”

Substitute

“basins, and baths or showers, provided must be not less than the number specified in Table 4.”.

- (5) Regulation 4(1)—

Repeal everything after subparagraph (d)

Substitute

“Table 1

**Number of Watercloset Fitments (where Separate
Waterclosets are Not Provided for Male Persons and for
Female Persons in Residential Building)**

Column 1	Column 2
Number of persons in residential building	Number of watercloset fitments
1. Not more than 8	1
2. More than 8	1 plus 1 for every 12 persons, or part of those persons, over 8

Table 2

**Number of Watercloset Fitments (where Separate
Waterclosets are Provided for Male Persons and for
Female Persons in Residential Building)**

Part 1

**Number of Watercloset Fitments Provided for Male
Persons in Residential Building**

Column 1	Column 2
Number of male persons in residential building	Number of watercloset fitments
1. Not more than 8	1
2. More than 8	1 plus 1 for every 12 male persons, or part of those persons, over 8

Part 2

**Number of Watercloset Fitments Provided for Female
Persons in Residential Building**

Column 1	Column 2
Number of female persons in residential building	Number of watercloset fitments
1. Not more than 8	1
2. More than 8	1 plus 1 for every 12 female persons, or part of those

Column 1	Column 2
Number of female persons in residential building	Number of watercloset fitments persons, over 8

Table 3

**Number of Watercloset Fitments and Urinals Provided for
Male Persons in Residential Building**

Column 1	Column 2	Column 3
Number of male persons in residential building	Number of watercloset fitments	Number of urinals
1. Not more than 12	1	1
2. More than 12	1 plus 1 for every 12 male persons, or part of those persons, over 12	1 plus 1 for every 12 male persons, or part of those persons, over 12

Table 4

**Number of Lavatory Basins and Baths or Showers
Provided in Residential Building**

Column 1	Column 2	Column 3
Number of persons in residential building	Number of lavatory basins	Number of baths or showers
1. Not more than 8	1	1
2. More than 8	1 plus 1 for every 12 persons, or part of those persons, over 8	1 plus 1 for every 12 persons, or part of those persons, over 8".

(6) Regulation 4(2)(a)—

Repeal

“In the case of”

Substitute

“For”.

(7) Regulation 4(4)—

Repeal subparagraph (a)

Substitute

“(a) the number of persons in a residential building is to be determined—

(i) for a tenement house, dormitory, barrack or
boarding house—at the rate of 1 person for every

3 m² of the usable floor area of the tenement house, dormitory, barrack or boarding house, as the case may be; or

- (ii) for any other residential building—at the rate of 1 person for every 9 m² of the usable floor area of the building; and”.

- (8) Regulation 4(4)(b)—

Repeal

“persons, the proportion of male persons to female persons residing or likely to reside in the building shall”

Substitute

“persons in a residential building, the proportion of male persons to female persons in the building is”.

- (9) Regulation 4(4)(b), English text—

Repeal

“be deemed”

Substitute

“deemed”.

6. Regulation 5 amended (offices, industrial undertakings and other places of work)

- (1) Regulation 5, heading—

Repeal

“Offices, industrial undertakings and other places of work”

Substitute

“Workplaces”.

- (2) Regulation 5(1)—

Repeal

“building used or intended to be used for the purpose of an office and in every industrial undertaking and other place of work”

Substitute

“workplace”.

- (3) Regulation 5(1)(a)—

Repeal

“employed or likely to be employed therein shall be not less than the number specified in Table VI”

Substitute

“must be not less than the number specified in Table 5”.

- (4) Regulation 5(1)(b)—

Repeal

“employed or likely to be employed therein shall be not less than the number specified in Table VII”

Substitute

“must be not less than the number specified in Table 6”.

- (5) Regulation 5(1)(c)—

Repeal

everything after “basins”

Substitute

“provided for—

- (i) male persons must be not less than the number specified in Part 1 of Table 7; and
(ii) female persons must be not less than the number specified in Part 2 of Table 7.”.

- (6) Regulation 5(1)—
Repeal everything after subparagraph (c)
Substitute

“Table 5

**Number of Watercloset Fitments and Urinals Provided for
Male Persons in Workplace**

Column 1	Column 2	Column 3
Number of male persons in workplace	Number of watercloset fitments	Number of urinals
1. Not more than 10	1	Nil
2. 11–100	1 for every 25 male persons or part of those persons	1 for every 50 male persons or part of those persons
3. More than 100	4 plus 1 for every 50 male persons, or part of those persons, over 100	2 plus 1 for every 50 male persons, or part of those persons, over 100

Table 6

**Number of Watercloset Fitments Provided for Female
Persons in Workplace**

Column 1	Column 2
Number of female persons in workplace	Number of watercloset fitments
1. Not more than 10	1
2. 11–25	2
3. More than 25	2 plus 1 for every 25 female persons, or part of those persons, over 25

Table 7

Number of Lavatory Basins Provided in Workplace

Part 1

**Number of Lavatory Basins Provided for Male Persons in
Workplace**

Column 1	Column 2
Number of male persons in workplace	Number of lavatory basins
1. Not more than 100	1 for every 25 male persons or part of those persons
2. More than 100	4 plus 1 for every 50 male persons, or part of those

Column 1	Column 2
Number of male persons in workplace	Number of lavatory basins persons, over 100

Part 2

Number of Lavatory Basins Provided for Female Persons in Workplace

Column 1	Column 2
Number of female persons in workplace	Number of lavatory basins
1. Not more than 100	1 for every 25 female persons or part of those persons
2. More than 100	4 plus 1 for every 50 female persons, or part of those persons, over 100".

(7) Regulation 5—

Repeal paragraph (2).

(8) Regulation 5(3)—

Repeal

“building used or intended to be used for the purpose of an office or in any industrial undertaking or other place of work, the number of persons, whether the same are or will be male persons or female persons, or both, employed or likely to be employed does not or will not exceed 10, there shall”

Substitute

“workplace, the number of persons (whether male persons or female persons, or both) does not exceed 10, there must”.

(9) Regulation 5(4)—

Repeal

“building used or intended to be used for the purpose of an office and in every industrial undertaking and other place or work”

Substitute

“workplace”.

(10) Regulation 5(5)—

Repeal subparagraph (a)

Substitute

“(a) the number of persons in a workplace is to be determined—

- (i) for an office—at the rate of 1 person for every 9 m² of the usable floor area of the office;
- (ii) for an industrial undertaking that is a flatted factory—at the rate of 1 person for every 4.5 m² of the usable floor area of the factory;
- (iii) for an industrial undertaking that is a warehouse, godown or storage area—at the rate of 1 person for every 30 m² of the usable floor area of the warehouse, godown or storage area, as the case may be;
- (iv) for a shop that is neither within a shopping arcade nor within a department store—at the rate of 1 person for every 15 m² of the usable floor area of the shop; or

- (v) for a food room of a restaurant, where the number of persons in the restaurant (determined in accordance with regulation 8(2)(a)) is more than 300—at the rate of 1 person for every 4.5 m² of the usable floor area of the food room;”.

(11) Regulation 5(5)(b)—

Repeal

“employed or likely to be employed in any industrial undertaking shall”

Substitute

“in an industrial undertaking (other than a flatted factory, warehouse, godown or storage area) is to”.

(12) Regulation 5(5)—

Repeal subparagraph (c)

Substitute

“(c) the proportion of male persons to female persons in a workplace is—

- (i) for an industrial undertaking (other than a flatted factory, warehouse, godown or storage area), determined by the Commissioner for Labour; and
(ii) for any other workplace, deemed to be 1:1.”.

7. Regulation 6 amended (places of public entertainment)

(1) Regulation 6(1)—

Repeal

everything after “of public”

Substitute

“entertainment—

- (a) the number of watercloset fitments and urinals provided for male persons must be not less than the number specified in Table 8;
- (b) the number of watercloset fitments provided for female persons must be not less than the number specified in Table 9; and
- (c) the number of lavatory basins provided for—
- (i) male persons must be not less than the number specified in item 1 of Table 10; and
- (ii) female persons must be not less than the number specified in item 2 of Table 10.

Table 8

**Number of Watercloset Fitments and Urinals
Provided for Male Persons in Place of Public
Entertainment**

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	1 for every 50 male persons or part of those persons

Column 1	Column 2	Column 3
Number of male persons in place of public entertainment	Number of watercloset fitments	Number of urinals
	persons, over 400	

Table 9

Number of Watercloset Fitments Provided for Female Persons in Place of Public Entertainment

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

Table 10

Number of Lavatory Basins Provided in Place of Public Entertainment

Column 1	Column 2
Persons in place of public entertainment	Number of lavatory basins
1. Male persons	1 for every 100 male persons or part of those persons
2. Female persons	1 for every 100 female persons or part of those persons”.

(2) Regulation 6(2)—

Repeal

“(other than a cinema) and in every public dance hall”.

(3) Regulation 6(3)—

Repeal subparagraph (a)

Substitute

“(a) the number of persons in a place of public entertainment is to be determined—

- (i) for a museum or exhibition hall—at the rate of 1 person for every 2 m² of the usable floor area of the museum or exhibition hall, as the case may be;
- (ii) for a venue for a dance party—at the rate of 1 person for every 0.75 m² of the usable floor area of the dancing area in the venue;

- (iii) for an assembly area or auditorium without seating or with movable seating—at the rate of 1 person for every 0.5 m² of the usable floor area of the area intended for use by the spectators or visitors in the assembly area or auditorium, as the case may be; or
- (iv) for an assembly area or auditorium with non-movable seating—at the rate of 1 person for every seat in the assembly area or auditorium, as the case may be; and”.

(4) Regulation 6(3)(b)—

Repeal

“shall be deemed to be 1:1”

Substitute

“in a place of public entertainment is deemed to be 1:1.5”.

8. Regulation 6A added

After regulation 6—

Add

“6A. Sports stadia

- (1) In every sports stadium—
 - (a) the number of watercloset fitments and urinals provided for male persons must be not less than the number specified in Table 11;
 - (b) the number of watercloset fitments provided for female persons must be not less than the number specified in Table 12; and
 - (c) the number of lavatory basins provided for—

- (i) male persons must be not less than the number specified in item 1 of Table 13; and
- (ii) female persons must be not less than the number specified in item 2 of Table 13.

Table 11

Number of Watercloset Fitments and Urinals Provided for Male Persons in Sports Stadium

Column 1	Column 2
Number of watercloset fitments	Number of urinals
1. 1 for every 100 male persons or part of those persons	1 for every 100 male persons or part of those persons

Table 12

Number of Watercloset Fitments Provided for Female Persons in Sports Stadium

- 1. 1 for every 50 female persons or part of those persons

Table 13

Number of Lavatory Basins Provided in Sports Stadium

Column 1	Column 2
Persons in sports stadium	Number of lavatory basins
1. Male persons	1 for every 100 male persons or part of those persons
2. Female persons	1 for every 100 female persons or part of those persons
(2) In every sports stadium, the watercloset fitments, urinals and lavatory basins for male persons and the watercloset fitments and lavatory basins for female persons must be provided in separate rooms exclusively for the use of male persons and female persons respectively.	
(3) For the purposes of this regulation—	
(a) the number of persons in a sports stadium is to be determined—	
(i) for a sports stadium without seating or with movable seating—at the rate of 1 person for every 0.5 m ² of the usable floor area of the area intended for use by the spectators in the stadium; or	
(ii) for a sports stadium with non-movable seating—at the rate of 1 person for every seat in the stadium; and	

- (b) the proportion of male persons to female persons in a sports stadium is deemed to be 1:1.”.

9. Regulation 7 amended (cinemas)

(1) Regulation 7—

Repeal paragraph (1)

Substitute

“(1) In every cinema—

- (a) the number of watercloset fitments and urinals provided for male persons must be not less than the number specified in Table 14;
- (b) the number of watercloset fitments provided for female persons must be not less than the number specified in Table 15; and
- (c) the number of lavatory basins provided for—
 - (i) male persons must be not less than the number specified in item 1 of Table 16; and
 - (ii) female persons must be not less than the number specified in item 2 of Table 16.

Table 14

**Number of Watercloset Fitments and Urinals
Provided for Male Persons in Cinema**

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 for every 100 male persons or part of those persons

Column 1	Column 2	Column 3
Number of male persons in cinema	Number of watercloset fitments	Number of urinals
	1 000	

Table 15

**Number of Watercloset Fitments Provided for
Female Persons in Cinema**

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

Table 16

Number of Lavatory Basins Provided in Cinema

Column 1	Column 2
Persons in cinema	Number of lavatory basins
1. Male persons	1 for every 100 male persons or part of those persons
2. Female persons	1 for every 100 female persons or part of those persons”.

(2) Regulation 7(3)—

Repeal subparagraph (a)

Substitute

“(a) the number of persons in a cinema is to be determined at the rate of 1 person for every seat in the cinema; and”.

(3) Regulation 7(3)(b)—

Repeal

“shall be deemed to be 1:1”

Substitute

“in a cinema is deemed to be 1:1.5”.

10. **Regulations 7A, 7B and 7C added**

After regulation 7—

Add

“7A. Shopping arcades and department stores

(1) In every shopping arcade or department store—

- (a) the number of watercloset fitments and urinals provided for male persons must be not less than the number specified in Table 17;
- (b) the number of watercloset fitments provided for female persons must be not less than the number specified in Table 18; and
- (c) the number of lavatory basins provided for—
 - (i) male persons must be not less than the number specified in Part 1 of Table 19; and
 - (ii) female persons must be not less than the number specified in Part 2 of Table 19.

Table 17

**Number of Watercloset Fitments and Urinals
Provided for Male Persons in Shopping Arcade or
Department Store**

Column 1	Column 2	Column 3
Number of male persons in shopping arcade or department store	Number of watercloset fitments	Number of urinals
1. Not more than 500	1 for every 125 male persons or part of those persons	1 for every 250 male persons or part of those persons

Column 1	Column 2	Column 3
Number of male persons in shopping arcade or department store	Number of watercloset fitments	Number of urinals
2. More than 500	4 plus 1 for every 250 male persons, or part of those persons, over 500	1 for every 250 male persons or part of those persons

Table 18

Number of Watercloset Fitments Provided for Female Persons in Shopping Arcade or Department Store

Column 1	Column 2
Number of female persons in shopping arcade or department store	Number of watercloset fitments
1. Not more than 50	1 for every 25 female persons or part of those persons
2. 51–125	3
3. 126–1 800	3 plus 1 for every 80 female persons, or part of those persons, over 125

Column 1	Column 2
Number of female persons in shopping arcade or department store	Number of watercloset fitments
4. More than 1 800	24 plus 1 for every 90 female persons, or part of those persons, over 1 800

Table 19

Number of Lavatory Basins Provided in Shopping Arcade or Department Store

Part 1

Number of Lavatory Basins Provided for Male Persons in Shopping Arcade or Department Store

Column 1	Column 2
Number of male persons in shopping arcade or department store	Number of lavatory basins
1. Not more than 500	1 for every 125 male persons or part of those persons
2. More than 500	4 plus 1 for every 250 male persons, or part of those persons, over 500

Part 2

Number of Lavatory Basins Provided for Female Persons in Shopping Arcade or Department Store

Column 1	Column 2
Number of female persons in shopping arcade or department store	Number of lavatory basins
1. Not more than 500	1 for every 125 female persons or part of those persons
2. More than 500	4 plus 1 for every 250 female persons, or part of those persons, over 500

(2) In every shopping arcade or department store, the watercloset fitments, urinals and lavatory basins for male persons and the watercloset fitments and lavatory basins for female persons must be provided in separate rooms exclusively for the use of male persons and female persons respectively.

(3) For the purposes of this regulation—

(a) the number of persons in a shopping arcade is to be determined—

(i) for the basement, ground, first or second floor of the shopping arcade—at the rate of 1 person for every 3 m² of the usable floor area of the relevant floor of the shopping arcade; or

- (ii) for the third floor (or above) of the shopping arcade—at the rate of 1 person for every 4.5 m² of the usable floor area of the relevant floor of the shopping arcade;
- (b) the number of persons in a department store is to be determined—
- (i) for the basement, ground, first or second floor of the department store—at the rate of 1 person for every 3 m² of the usable floor area of the relevant floor of the department store; or
- (ii) for the third floor (or above) of the department store—at the rate of 1 person for every 4.5 m² of the usable floor area of the relevant floor of the department store; and
- (c) the proportion of male persons to female persons in a shopping arcade or department store is deemed to be 1:1.5.
- (4) In paragraph (3)(a)—
- usable floor area** (實用樓面面積), in relation to a shopping arcade—
- (a) means the aggregate of the areas of the floors in the shopping arcade; but
- (b) does not include—
- (i) any staircase, lift landing or lavatory in the shopping arcade; or
- (ii) any space occupied by machinery for a lift, or for the air-conditioning or utility system or any other similar service, provided for the shopping arcade.

7B. Religious institutions

- (1) In every religious institution—
 - (a) the number of watercloset fitments and urinals provided for male persons must be not less than the number specified in Table 20;
 - (b) the number of watercloset fitments provided for female persons must be not less than the number specified in Table 21; and
 - (c) the number of lavatory basins provided for—
 - (i) male persons must be not less than the number specified in item 1 of Table 22; and
 - (ii) female persons must be not less than the number specified in item 2 of Table 22.

Table 20

**Number of Watercloset Fitments and Urinals
Provided for Male Persons in Religious Institution**

Column 1	Column 2
Number of watercloset fitments	Number of urinals
1. 1 for every 100 male persons or part of those persons	1 for every 100 male persons or part of those persons

Table 21

**Number of Watercloset Fitments Provided for
Female Persons in Religious Institution**

1. 1 for every 50 female persons or part of those
persons

Table 22

**Number of Lavatory Basins Provided in Religious
Institution**

Column 1	Column 2
Persons in religious institution	Number of lavatory basins
1. Male persons	1 for every 100 male persons or part of those persons
2. Female persons	1 for every 100 female persons or part of those persons

- (2) In every religious institution, the watercloset fitments, urinals and lavatory basins for male persons and the watercloset fitments and lavatory basins for female persons must be provided in separate rooms exclusively for the use of male persons and female persons respectively.
- (3) For the purposes of this regulation—

- (a) the number of persons in a religious institution is to be determined at the rate of 1 person for every 0.5 m² of the usable floor area of the religious institution; and
- (b) the proportion of male persons to female persons in a religious institution is deemed to be 1:1.5.

7C. Funeral parlours

- (1) In every funeral parlour—
 - (a) the number of watercloset fitments and urinals provided for male persons must be not less than the number specified in Table 23;
 - (b) the number of watercloset fitments provided for female persons must be not less than the number specified in Table 24; and
 - (c) the number of lavatory basins provided for—
 - (i) male persons must be not less than the number specified in item 1 of Table 25; and
 - (ii) female persons must be not less than the number specified in item 2 of Table 25.

Table 23

Number of Watercloset Fitments and Urinals Provided for Male Persons in Funeral Parlour

Column 1	Column 2
Number of watercloset fitments	Number of urinals
1. 1 for every 150 male persons or part of those persons	1 for every 150 male persons or part of those persons

Table 24

Number of Watercloset Fitments Provided for Female Persons in Funeral Parlour

1. 1 for every 75 female persons or part of those persons

Table 25

Number of Lavatory Basins Provided in Funeral Parlour

Column 1	Column 2
Persons in funeral parlour	Number of lavatory basins
1. Male persons	1 for every 300 male persons or part of those

Column 1	Column 2
Persons in funeral parlour	Number of lavatory basins
	persons
2. Female persons	1 for every 300 female persons or part of those persons
(2) In every funeral parlour, the watercloset fitments, urinals and lavatory basins for male persons and the watercloset fitments and lavatory basins for female persons must be provided in separate rooms exclusively for the use of male persons and female persons respectively.	
(3) For the purposes of this regulation—	
(a) the number of persons in a funeral parlour is to be determined at the rate of 1 person for every 0.5 m ² of the usable floor area of the funeral parlour; and	
(b) the proportion of male persons to female persons in a funeral parlour is deemed to be 1:1.5.”.	

11. Regulation 8 amended (restaurants)

(1) Regulation 8—

Repeal paragraph (1)

Substitute

“(1) Subject to paragraph (1A), in every restaurant—

- (a) the number of watercloset fitments and urinals provided for male persons must be not less than the number specified in Table 26;

- (b) the number of watercloset fitments provided for female persons must be not less than the number specified in Table 27; and
- (c) the number of lavatory basins provided for—
- (i) male persons must be not less than the number specified in Part 1 of Table 28; and
- (ii) female persons must be not less than the number specified in Part 2 of Table 28.

Table 26

**Number of Watercloset Fitments and Urinals
Provided for Male Persons in Restaurant**

Column 1	Column 2	Column 3
Number of male persons in restaurant	Number of watercloset fitments	Number of urinals
1. Not more than 40	1	1
2. 41–80	1	2
3. 81–150	2	3
4. 151–200	2	4
5. 201–300	3	4 plus 1 for every 50 male persons, or part of those persons, over 200
6. 301–400	4	6 plus 1 for

Column 1	Column 2	Column 3
Number of male persons in restaurant	Number of watercloset fitments	Number of urinals
		every 50 male persons, or part of those persons, over 300
7. 401–650	5	8 plus 1 for every 50 male persons, or part of those persons, over 400
8. More than 650	5 plus 1 for every 250 male persons, or part of those persons, over 650	13 plus 1 for every 50 male persons, or part of those persons, over 650

Table 27

Number of Watercloset Fitments Provided for Female Persons in Restaurant

Column 1	Column 2
Number of female persons in restaurant	Number of watercloset fitments
1. Not more than 60	1
2. 61–120	2
3. 121–180	3
4. 181–200	4
5. More than 200	4 plus 1 for every 100 female persons, or part of those persons, over 200

Table 28

Number of Lavatory Basins Provided in Restaurant

Part 1

**Number of Lavatory Basins Provided for Male
Persons in Restaurant**

Column 1	Column 2
Number of male persons in restaurant	Number of lavatory basins
1. Not more than 80	1
2. 81–120	2
3. 121–150	3
4. More than 150	3 plus 1 for every 100 male persons, or part of those persons, over 150

Part 2

**Number of Lavatory Basins Provided for Female
Persons in Restaurant**

Column 1	Column 2
Number of female persons in restaurant	Number of lavatory basins
1. Not more than 120	1
2. 121–180	2
3. 181–250	4
4. More than 250	4 plus 1 for every 100 female persons, or

Column 1	Column 2
Number of female persons in restaurant	Number of lavatory basins part of those persons, over 250

- (1A) For a restaurant in which the number of persons (determined in accordance with paragraph (2)(a)) is less than 25, the requirements set out in paragraph (1) are regarded as having been complied with if, in the restaurant—
- (a) 1 watercloset fitment and 1 lavatory basin are provided for both male persons and female persons; and
- (b) 1 urinal is provided for male persons.
- (1B) Where, in a restaurant in which the number of persons (determined in accordance with paragraph (2)(a)) is less than 25, only—
- (a) 1 watercloset fitment and 1 lavatory basin are provided for both male persons and female persons; and
- (b) 1 urinal is provided for male persons, the watercloset fitment and the urinal must be provided in separate rooms.
- (1C) In every restaurant (except a restaurant to which paragraph (1B) applies), the watercloset fitments, urinals and lavatory basins for male persons and the watercloset fitments and lavatory basins for female persons must be provided in separate rooms exclusively for the use of male persons and female persons respectively.”.

(2) Regulation 8(2)—

Repeal subparagraph (a)

Substitute

“(a) the number of persons in a restaurant is to be determined at the rate of 1 person for every 1.5 m² of the usable floor area of the restaurant (excluding the food room of the restaurant); and”.

(3) Regulation 8(2)(b)—

Repeal

“shall be deemed to be 1:1”

Substitute

“in a restaurant is deemed to be 1:1.5”.

12. Regulation 9 amended (where soil fitments prohibited latrine fitments, etc. to be provided in lieu thereof, etc.)

Regulation 9(1)(a) and (b), (2) and (3)—

Repeal

“7”

Substitute

“6A, 7, 7A, 7B, 7C”.

13. Regulation 10 repealed (sanitary fitments for persons employed in residential buildings, etc.)

Regulation 10—

Repeal the regulation.

14. Regulation 48 amended (fall of drains)

(1) Regulation 48—

Repeal

“Table XII below”

Substitute

“Table 29”.


(2) Regulation 48—

Repeal

“TABLE XII”

Substitute

“Table 29”.



Secretary for Development

14 September 2015

Explanatory Note

The Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap. 123 sub. leg. I) (*principal Regulations*) specify, among other things, the requirements on the numbers and other standards of sanitary fitments for persons in different types of buildings.

2. The main purposes of this Regulation are—
 - (a) to update the requirements on the numbers and other standards of sanitary fitments for persons in 5 types of buildings currently regulated by the principal Regulations (i.e. residential buildings, workplaces, places of public entertainment, cinemas and restaurants); and
 - (b) to set out the requirements on the numbers and other standards of sanitary fitments for persons in 4 types of buildings newly added to the principal Regulations (i.e. sports stadia, shopping arcades and department stores, religious institutions and funeral parlours).

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

(Made by the Secretary for Development under section 38 of the Buildings Ordinance (Cap. 123))

1. Commencement

This Regulation comes into operation on 14 December 2015.

2. Building (Administration) Regulations amended

The Building (Administration) Regulations (Cap. 123 sub. leg. A) are amended as set out in section 3.

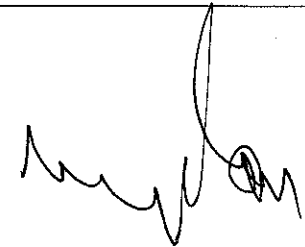
3. Regulation 8 amended (prescribed plans in respect of building works)

Regulation 8(1)(k)—

Repeal sub-subparagraph (i)

Substitute

- “(i) the usable floor area, which expression has the meaning given by regulation 3 of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap. 123 sub. leg. I);”.



Secretary for Development

14 September 2015

Explanatory Note

The purpose of this Regulation is to amend regulation 8(1)(k)(i) of the Building (Administration) Regulations (Cap. 123 sub. leg. A) to replace “usable floor space” with “usable floor area” consequential on the amendments made to the requirements concerned by the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) (Amendment) Regulation 2015.