

8 December 2015

To: All Authorized Persons
Registered Structural Engineers
Registered General Building Contractors
Registered Minor Works Contractors

Dear Sir/ Madam,

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

The captioned Amendment Regulation¹ which amends the requirements on provision of sanitary fitments shall come into operation on 14 December 2015.

Main features of the Amendment Regulation include:

- (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; and
- (c) rationalisation of the standards for the provision of sanitary fitments in restaurants.

Application

By virtue of section 39(2) of the Buildings Ordinance, the Amendment Regulation does not apply to buildings or building works which are being carried out² or have been given the consent to their commencement³ as at 14 December 2015.

Taking heed of the general demand for a pragmatic approach, the application of the Amendment Regulation on the alteration of existing buildings shall depend on the scope and scale of the alteration works. Taking restaurants and cinemas as examples, unless there is a change in use (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 area for the restaurant or an increase in seating capacity of the cinema) that constitutes substantial alterations, the new standards of sanitary fitments under the Amendment Regulation will not be applicable to an existing restaurant or cinema even when there are alteration works being carried out.

¹ Details of the amendment regulation are now at <http://www.gld.gov.hk/egazette/pdf/20151941/es220151941191.pdf>. The text of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations at the Bilingual Laws Information System website of the Department of Justice (<http://www.legislation.gov.hk>) will also be updated on 14 December 2015.

² This “works in progress” scenario refers to the superstructure works.

³ This “consent” scenario refers to the situation where the general building plans of the new buildings have been approved and the consent for the commencement of foundation works for such buildings has been given (including cases where the foundation works have commenced accordingly).

Relevant Practice Notes

With the coming into operation of the Amendment Regulation, PNAPs APP-6 and APP-36 will be withdrawn with effect from 14 December 2015. Whilst PNAP ADV-32 which encourages the provision of baby care rooms in commercial buildings will continue to be applicable, PNAP ADV-28 on recommended measures in respect of provision of sanitary fitments will be suitably updated in due course.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Thomas', with a long horizontal stroke extending to the left.

(LEUNG Tung-choi, Thomas)
Assistant Director / New Buildings 1
for Building Authority