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**ACE Paper 7/2022**  
***For information by circulation***

**Proposed Consequential Amendments to  
the Water Pollution Control (Sewerage) Regulation (Cap. 358 sub. leg. AL)  
arising from Proposed Repealing and Re-enactment of  
the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works  
and Latrines) Regulations (Cap. 123 sub. leg. I)**

**PURPOSE**

This paper informs Members on the proposed consequential amendment to the Water Pollution Control (Sewerage) Regulation (Cap. 358 sub. leg. AL) (“**Sewerage Regulation**”) arising from the repealing and re-enactment of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap. 123 sub. leg. I) (“**Drainage Regulation**”) for a new one to be cited as the Building (Drainage) Regulation (“**New Drainage Regulation**”).

**BACKGROUND**

2. The Buildings Department (“**BD**”) is currently revamping the Drainage Regulation for the purpose of transforming the existing prescriptive provisions into performance-based ones. The new provisions will be introduced through the New Drainage Regulation.

3. As both the Drainage Regulation and the Sewerage Regulation would impose control over village house sewerage facilities, to avoid dual control, s.29(2) of the Sewerage Regulation specifies that the Drainage Regulation shall not apply to village sewerage subject to its control.

**PROPOSED AMENDMENT**

4. As the Drainage Regulation to be replaced by the New Drainage Regulation is cited in s.29(2) of the Sewerage Regulation, a consequential amendment to it as in the table below is therefore necessary:-

Existing provision s.29(2) of Cap 358AL Sewerage Regulation	Proposed Amendment
Part VIII <sup>#</sup> of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap. 123 sub. leg. I) shall not apply to anything done pursuant to this Regulation.	Part x* of the Building (Drainage) Regulation (Cap. 123 sub. leg. y*) shall not apply to anything done pursuant to this Regulation.

Note:

- # Part VIII of the Drainage Regulation is related to works to be carried out by the Building Authority and recovery of cost thereof.
- \* To be confirmed after finalisation of the draft regulation.

**LEGISLATIVE TIMETABLE**

5. Upon consultation with the Advisory Council on the Environment pursuant to s.46(2) of the Water Pollution Control Ordinance, the Secretary for Development (“the Secretary”) will prepare the proposed consequential amendment to the Sewerage Regulation. The Secretary is now planning to table the New Drainage Regulation and the consequential amendment to the Sewerage Regulation at the Legislative Council for negative vetting in Q1 of 2023, with a view to launching them in Q1 of 2024 which is 1 year after their date of gazettal.

**ADVICE SOUGHT**

6. Members are invited to note the proposed consequential amendment to s.29(2) of the Sewerage Regulation, Cap 358AL in paragraph 4 and its timing as set out in paragraph 5 above.

**Environmental Protection Department  
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