**1967. No. 195** **[C]**

# OFFICE AND SHOP PREMISES

## Sanitary Conveniences

REGULATIONS, DATED 20TH JULY 1967, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER SECTION 9 OF THE OFFICE AND SHOP PREMISES ACT (NORTHERN IRELAND) 1966.

The Ministry of Health and Social Services in exercise of the powers conferred on it by section 9 of the Office and Shop Premises Act (Northern Ireland) 1966(a) and of all other powers enabling it in that behalf, hereby makes the following Regulations:—

*Citation, commencement and interpretation*

**1.**—(1) These Regulations may be cited as the Office and Shop Premises (Sanitary Conveniences) Regulations (Northern Ireland) 1967 and shall come into operation on 1st January 1969.

(2) In these Regulations—

"the Act" means the Office and Shop Premises Act (Northern Ireland) 1966;

"chemical closet" means a closet having a receptacle for the reception of faecal matter and its deodorisation by the use of suitable chemicals;

"drainage system" means a drainage system connected to a sewer, to a cesspool or to a settlement tank or other tank for the reception or disposal of foul matter;

"urinal" means a urinal which is connected to a drainage system and which has provision for flushing from a supply of clean water either by the operation of mechanism or by automatic action; and

"watercloset" means a closet which has a separate fixed receptacle connected to a drainage system and separate provision for flushing from a supply of clean water either by the operation of mechanism or by automatic action.

*Application of Regulations*

**2.**—(1) Subject to paragraph (2), these Regulations shall apply to all office and shop premises to which the Act applies.

(2) Nothing in these Regulations shall apply to any premises consisting of a covered market place to which section 50 (power to adapt Act in relation to covered markets) of the Act applies.

*Provision of sanitary conveniences*

**3.**—(1) The provision of sanitary conveniences for the use of persons employed to work in premises to which these Regulations apply shall not be suitable and sufficient provision for the purposes of section 9(1) of the Act—

(*a*) unless provision is made—

(i) in the case of premises other than those to which sub-paragraph (ii) applies, in accordance with the appropriate provisions of Part

(a) 1966. c. 26 (N.I.).

I of the Schedule (which relates to the provision of waterclosets and urinals);

or

(ii) where it is not reasonably practicable in the case of any premises to provide a drainage system for, and a supply of clean water for flushing, waterclosets and urinals, in accordance with the appropriate provisions of Part II of the Schedule (which relates to the provision of chemical closets); and

(*b*) unless the following provisions of these Regulations are observed.

(2) Sanitary conveniences available for use by all members of the public (or all members of the public of the same sex) and provided by a county council or district council by virtue of powers contained in any enactment shall not constitute the provision of suitable and sufficient sanitary conveniences for the purposes of section 9(1) of the Act.

(3) In reckoning, for the purposes of Regulations 4, 5 and 9 and paragraphs 1(*a*), 2, 4(*a*) and 5 of the Schedule, a number of persons, no account shall be taken of any person whose daily hours of work in the premises do not normally exceed two.

*Sanitary conveniences the use of which is shared*

**4.**—(1) Where in the case of any premises to which these Regulations apply—

(*a*) there are in operation arrangements made in pursuance of section 9(5) of the Act for enabling all or any of the persons employed to work in the premises to have the use of sanitary conveniences provided for the use of others; or

(*b*) sanitary conveniences provided for the use of all or any of the persons employed to work in the premises are made available for regular use by other persons (not being members of the public);

then in either of such cases, in determining the number of sanitary conveniences to be provided for the employed persons, the total number of persons for whose regular use the sanitary conveniences are made available during the periods during which persons are employed to work in the premises shall be treated as if that were the number of persons regularly employed to work in the premises at any one time.

(2) Where in either of the following cases, that is to say—

(*a*) in the case of a building to which section 42 of the Act applies containing two sets or more of premises to which the Act applies;

(*b*) in the case of a parcel of land, in single ownership containing two sets or more of fuel storage premises to which section 43 of the Act applies;

all or any of the persons employed to work in any two sets or more of any such premises have the use of the same sanitary conveniences provided in pursuance of section 9 of the Act, the total number of the persons regularly so employed at any one time for whose use the conveniences are provided shall be treated as if that were a number of persons all of whom are employed to work in one set of premises to which the Act applies.

*Sanitary conveniences used by the public*

**5.** Where in the case of any premises to which these Regulations apply in which the number of persons employed to work therein at any one time

regularly exceeds ten, the sanitary conveniences provided for the use of, or used by arrangements by, all or any of such persons are also ordinarily made available for general use by members of the public resorting to the premises, the number of watercloset or chemical closets (as the case may be) required by the other provisions of these Regulations to be provided, or to be provided separately according to their sex (as the case may be), for the use of those persons shall in every case be increased by one.

*Situation of sanitary conveniences*

**6.**—(1) No sanitary convenience provided in pursuance of these Regulations shall be situated in any room in which any person (other than a lavatory attendant) is employed to work.

(2) Except as provided in paragraph (3), no watercloset and chemical closet, no accommodation in which a urinal is provided and no accommodation containing a watercloset or chemical closet (the watercloset or chemical closet in such accommodation not being wholly enclosed) shall be so situated that access to it is obtained directly from any room in which any person (other than a lavatory attendant) is employed to work.

(3) The requirements of paragraph (2) shall not apply where—

(*a*) it is not reasonably practicable to comply with such requirements in the case of any watercloset, chemical closet or accommodation of any kind referred to in the said paragraph (as the case may be); and

(*b*) the watercloset, chemical closet or accommodation (as the case may be) was first installed or constructed before the date of the making of these Regulations in a building for use therein;

and in any such case the watercloset, chemical closet or accommodation shall be provided with effective mechanical means of ventilation which shall discharge directly into the open air and which shall be kept in operation during the periods during which any person is employed to work in the room from which access is obtained directly to the watercloset, chemical closet or accommodation (as the case may be).

(4) Any enclosed space between a watercloset, chemical closet or accommodation where a urinal is provided and any room in which any person (other than a lavatory attendant) is employed to work shall be provided with effective means of ventilation.

*Protection and privacy of sanitary conveniences*

**7.**—(1) All accommodation where any watercloset, chemical closet or urinal is provided in pursuance of these Regulations shall be covered to an extent sufficient to ensure protection from the weather for persons using it.

(2) Every watercloset and chemical closet shall be enclosed to an extent sufficient to ensure privacy and be fitted with a suitable door and door fastening.

(3) Every urinal shall be so placed or so screened as not to be visible from outside the accommodation where the urinal is situated.

*Marking of sanitary accommodation*

**8.** Where separate accommodation is provided for persons of each sex, the accommodation shall be clearly marked to show for persons of which sex it is provided.