

**《商營浴室規例》**  
**(第 132 章，附屬法例 I)**  
**Commercial Bathhouses Regulation**  
**(Cap. 132 sub. leg. I)**

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**制定史**

本為 1961 年 A27 號政府公告 —— 1973 年第 21 號，1975 年第 275 號法律公告，1979 年第 89 號法律公告，1980 年第 70 號法律公告，1981 年第 88 號法律公告，1983 年第 104 號法律公告，1984 年第 84 號法律公告，1986 年第 10 號，1986 年編正版，1987 年第 228 號法律公告，1987 年第 286 號法律公告，1990 年第 14 號法律公告，1991 年第 149 號法律公告，1992 年第 68 號法律公告，1993 年第 122 號法律公告，1994 年第 297 號法律公告，1996 年第 (C)36 號法律公告 (中文真確本)，1996 年第 177 號法律公告，1996 年第 345 號法律公告，1997 年第 362 號法律公告，1999 年第 78 號，2020 年第 3 號編輯修訂紀錄

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**《商營浴室規例》**  
**(第 132 章，附屬法例 I)**

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## 《商營浴室規例》

(1999 年第 78 號第 7 條)

(第 132 章第 35 條)

[1961 年 3 月 3 日]

(格式變更——2020 年第 3 號編輯修訂紀錄)

1-2. (由 1999 年第 78 號第 7 條廢除)

## 3. 釋義

(1) 在本規例中，除文意另有所指外——(1999 年第 78 號第 7 條)

**沐浴** (bath) 包括淋浴；**沐浴間** (bathroom) 包括設有淋浴花灑的房間或隔室；**浴室** (bathhouse) 指為供需要沐浴的人在繳費後使用而經辦或擬經辦的處所，但不包括署長管理的泳池或浴室；(1999 年第 78 號第 7 條)**傳染病** (communicable disease) 包括阿米巴病、腦脊髓膜炎、霍亂、白喉、痢疾、傷寒、腸胃炎、急性喉炎、傳染性肝炎、癩瘋、任何癬病、結核病、脊髓灰質炎、虱病、疥瘡、猩紅熱、天花、任何性病、任何全身性皮膚感染、沙眼、急性結膜炎，以及署長為施行本規例而不時宣布為傳染病的疾病；(1999 年第 78 號第 7 條)**署長** (Director) 指食物環境衛生署署長。(1999 年第 78 號第 7 條)

(2) 每當署長為施行本規例而宣布某一疾病為傳染病時，須將該項宣布的公告於憲報刊登。(1999 年第 78 號第 7 條)

## Commercial Bathhouses Regulation

(78 of 1999 s.7)

(Cap. 132, section 35)

[3 March 1961]

(Format changes—E.R. 3 of 2020)

1-2. (Repealed 78 of 1999 s. 7)

## 3. Interpretation

(1) In this Regulation, unless the context otherwise requires—(78 of 1999 s. 7)

**bath** (沐浴) includes shower bath;**bathhouse** (浴室) means any premises maintained or intended to be maintained for the use, on payment of a fee, of persons requiring a bath, but does not include any swimming pool or any bathhouse managed by the Director; (78 of 1999 s. 7)**bathroom** (沐浴間) includes a room or compartment containing a shower;**communicable disease** (傳染病) includes amoebiasis, cerebrospinal meningitis, cholera, diphtheria, dysentery, enteric fever, gastroenteritis, acute inflammation of the throat, infectious hepatitis, leprosy, any form of tinea infection, tuberculosis, poliomyelitis, pediculosis, scabies, scarlet fever, smallpox, any venereal disease or any generalized skin infection, trachoma, acute conjunctivitis and any other disease which the Director may, from time to time, declare to be a communicable disease for the purposes of this Regulation; (78 of 1999 s. 7)**Director** (署長) means the Director of Food and Environmental Hygiene. (78 of 1999 s. 7)

**4. 禁止開設無牌浴室**

除非根據與按照署長所批出的牌照，否則任何人不得開設或經辦浴室。

(1999 年第 78 號第 7 條)

**5. 申請牌照**

- (1) 凡申請上述牌照，須以書面提出，申請書須致予署長，並須附有組成有關浴室的整個處所的圖則一式 3 份，而該圖則須盡量按比例繪製。
- (2) 獲署長批准的每份圖則或任何圖則修改，須由署長批註已獲批准，而該圖則或圖則修改的其中一份須交還申請人，其餘 2 份則由署長保留。

(1999 年第 78 號第 7 條)

**6. 批出牌照的條件**

除非署長信納任何處所符合下述條件，而牌照是就該處所而申請，否則不得批出牌照——(1999 年第 78 號第 7 條)

- (a) 第 5 條所提述的圖則已獲署長批准，而該處所亦與該圖則相符；(1999 年第 78 號第 7 條)
- (b) 所設的通風設施，不論是天然的、機械的，或是部分天然部分機械的，就通風方面而言，在該處所內的每一部分均能足夠保障所有會前往該處所或在該處所內工作的人的健康；

- (2) Whenever the Director declares any disease to be a communicable disease for the purposes of this Regulation, a notification of such declaration shall be published in the Gazette. (78 of 1999 s. 7)

(78 of 1999 s. 7)

**4. Prohibition of unlicensed bathhouses**

Save under and in accordance with a licence granted by the Director, no person shall open or maintain a bathhouse.

(78 of 1999 s. 7)

**5. Application for licence**

- (1) Every application for any such licence shall be made in writing, addressed to the Director, and shall be accompanied by 3 copies of a plan, as nearly as may be to scale, of the whole of the premises comprising the bathhouse.
- (2) Every plan, or any modification thereof, which is approved by the Director shall be endorsed to that effect by the Director, and one copy shall be returned to the applicant and the remaining 2 copies shall be retained by the Director.

(78 of 1999 s. 7)

**6. Conditions for grant of licence**

No such licence shall be granted unless the Director is satisfied in relation to the premises in respect of which the application for such licence was made that—(78 of 1999 s. 7)

- (a) the plan referred to in section 5 has been approved by the Director and the premises conform thereto; (78 of 1999 s. 7)
- (b) the means of ventilation provided, whether natural or mechanical or partly natural and partly mechanical, are

- (c) 在處所內每一部分所提供的照明設施均屬足夠；
- (d) 處所內每個沐浴間的每幅牆的內壁均是平滑的，而自地面向上計不少於 2 米則鋪上不透水的物料；(1979 年第 89 號法律公告)
- (e) 上述每個沐浴間的地面均是平滑的，並以不透水的物料鋪設成斜面，使灑落地面的水得以有效及快速地排去；
- (f) 上述每個沐浴間內的牆與牆的連接處，以及牆與地面的連接處均成內彎形；
- (g) 如浴室招待男性及女性，則沐浴、廁所及洗手盆設施分別設於供男性用及女性用的隔室，而該兩類隔室並無直接通道互相連接；
- (h) 浴室內設有水廁及洗手盆供前往該浴室的人使用，比例是每 10 個浴缸最少有 1 個水廁及 1 個洗手盆；又如該浴室招待男性及女性，則每 10 個或少於 10 個為男性或女性而設的浴缸最少有 1 個水廁及 1 個洗手盆；
- (i) 所有浴缸、洗手盆及其他類似的裝置，其表面平滑可洗，並有妥善的排水設施；及
- (j) 除非獲得署長以書面准許，否則用作沐浴或洗濯的水均來自政府的總水管。(1999 年第 78 號第 7 條)

- sufficient in every part of the premises to safeguard the health in that respect of all persons resorting to or working in the premises;
- (c) the means of lighting provided in every part of the premises is adequate;
- (d) the internal surface of every wall of each bathroom therein is smooth and faced with impervious material to a height of not less than 2 m from the floor; (L.N. 89 of 1979)
- (e) the floor of each such bathroom is smooth and surfaced with impervious material, and is laid to such fall as will provide effective and rapid drainage of all water falling thereon;
- (f) the junctions between the walls and between the walls and the floor of each such bathroom are coved;
- (g) where the bathhouse receives persons of both sexes, bathing, latrine and washbasin facilities are provided in separate compartments for the use of persons of each sex, and no direct access is available from a compartment provided for the use of persons of one sex to a compartment provided for the use of persons of the opposite sex;
- (h) there is available within the bathhouse, for the use of persons resorting thereto, not less than one watercloset and one washbasin for every 10 baths therein, and, where the bathhouse receives persons of both sexes, there is not less than one watercloset and one washbasin for every 10 baths or less provided for each sex;
- (i) all baths, washbasins and other similar fittings have smooth washable surfaces and are properly drained; and

**7. 限制在批出牌照後對領有牌照的處所作出更改**

在上述牌照批出或續期後，持牌人除非獲得署長以書面准許，否則不得安排或准許對該牌照所關乎的處所——(1999 年第 78 號第 7 條)

- (a) 作出任何更改或附加工程，而該項更改或附加工程會令該處所與根據第 5 條獲批准的圖則有偏差；或
- (b) 作出與第 6 條所指明的任何事項有關的任何更改。

**8. 浴室持牌人的責任**

浴室持牌人須——

- (a) 時刻保持其浴室的所有部分以及浴室內所有裝置及設備清潔衛生以及有良好維修；
- (b) 在每個浴缸每次使用後及再使用前，安排將其徹底清潔；
- (c) 安排前往浴室的每個人在沐浴前均獲供應一條乾淨的毛巾(如有毛巾供其使用)；
- (d) 安排將在浴室的地面、牆壁或裝置上發現或在浴室任何部分發現的痰涎、涎沫或唾液迅速清除，並在所發現的位置上以消毒液加以清潔；及
- (e) 安排將浴室內並非以平滑的不透水物料鋪設的牆壁及天花板的各部分，在每年 1 月及 7 月髹掃灰水。

- (j) save as otherwise permitted in writing by the Director, all water supplied for bathing or washing purposes is drawn from Government mains. (78 of 1999 s. 7)

**7. Restriction on alteration of licensed premises after grant of licence**

After the grant or renewal of any such licence, no licensee shall, save with the permission in writing of the Director, cause or permit to be made in respect of the premises to which the licence relates—

- (a) any alteration or addition which would result in any deviation from the plan thereof approved under section 5; or
- (b) any alteration in respect of any matter specified in section 6.

(78 of 1999 s. 7)

**8. Duties of licensees of bathhouses**

The licensee of every bathhouse shall—

- (a) at all times, maintain all parts of the bathhouse and all fittings and equipment therein in a clean and wholesome state and in good repair;
- (b) cause each bath to be thoroughly cleaned after each occasion on which it has been used and before it is used again;
- (c) where towels are provided for the use of persons resorting thereto, cause each such person to be supplied with a clean towel before bathing;
- (d) cause any phlegm, spittle or saliva found on the floors, walls or fittings of the bathhouse, or any part thereof,



**9. 限制吐痰**

- (1) 任何人不得在浴室內吐痰，除非是吐入痰盂或其他為供吐痰而設的盛器內。
- (2) 每間浴室的持牌人須在其浴室的每個房間或隔室內設置最少一個痰盂，並須作出安排，使該等痰盂均載有消毒液，並須安排將該等痰盂潔淨以及更換消毒液，不少於每 24 小時一次。
- (3) 除非獲得署長以書面准許，否則每名持牌人均須安排將一份或多於一份以中文寫成的禁止吐痰告示，在前往其浴室的人所能到達的每一部分的顯眼地方持續展示。 (1999 年第 78 號第 7 條)

**10. 浴室不得作居住用途**

任何人不得將浴室的任何部分用作居住用途，或准許將其用作居住用途。

**11. 限制在浴室內煮食**

在前往浴室的人所能到達的浴室的任何部分，任何人不得配製或烹煮任何食物以供人食用。

**12. 關閉時間**

浴室只可在上午 6 時至午夜此段時間內向公眾開放。

to be removed without delay and the place whereon the same was found to be cleaned with a disinfectant; and

- (e) cause all parts of the walls and ceilings of the bathhouse, other than those faced with smooth impervious material, to be limewashed in the months of January and July in each year.

**9. Restriction on spitting**

- (1) No person shall spit in any bathhouse, except into a spittoon or other receptacle provided for the purpose.
- (2) The licensee of every bathhouse shall provide at least one spittoon in each room or compartment of the bathhouse, and shall cause the same to contain disinfectant fluid and to be cleansed, and the fluid renewed, not less than once in every 24 hours.
- (3) Save as otherwise permitted in writing by the Director, every licensee shall cause one or more notices, prohibiting spitting and written in Chinese, to be continuously displayed in a conspicuous place in every part of the bathhouse to which persons resorting thereto have access. (78 of 1999 s. 7)

**10. Bathhouses not to be used for dwelling purposes**

No person shall use, or permit to be used, for dwelling purposes any part of a bathhouse.

**11. Restriction on cooking in bathhouses**

No person shall prepare or cook any food for human consumption in any part of a bathhouse to which persons resorting thereto have access.

**12. Closing hours**

No bathhouse shall be open to the public except between the hours

**13. 沐浴間等地方的私用**

如浴室內設計或用作私用的沐浴間、水廁或更衣室已有人佔用，其他人即不得進入或佔用：

但本條並不適用於 —— (1999 年第 78 號第 7 條)

- (a) 在上述沐浴間、水廁或更衣室的佔用人要求下或在緊急情況下進入的浴室管理員；或
- (b) 進入其親屬或其護士所佔用的上述沐浴間、水廁或更衣室的未滿 7 歲兒童。

**14. (由 1984 年第 84 號法律公告廢除)****15. 患有傳染病的人**

- (1) 任何人如明知自己患有傳染病，則不得進入或停留在任何浴室內：

但在任何個案中，衛生主任如信納公眾衛生不受危害，則可向該人發出證明書，豁免該人受本款條文規限。

- (2) 如衛生主任以書面規定某名受僱於浴室或在浴室工作的人須接受身體檢驗，該人即須依照該衛生主任指示的時間和地點，前往接受身體檢驗，而在該項檢驗後，如衛生主任信納該人患有傳染病或相當可能將傳染病傳染他人，則後述的衛生主任可用書面將此事通知該人，而該人須隨即停止在該浴室或在其他浴室工作。
- (3) 根據第 (2) 款發出的通知書，須繼續有效，直至衛生主任另行發出書面通知，宣布將前述的通知取消為止。
- (4) 任何人不得安排、容受或准許其知道或有理由相信當時患有傳染病的人在任何浴室工作，而該人並非已妥為獲豁免受第 (1) 款條文規限的人。

of 6 o'clock in the forenoon and midnight.

**13. Privacy in bathrooms, etc.**

No person shall, in any bathhouse, enter or occupy any bathroom or watercloset, or any dressing room designed or used for private use, while the same is occupied by any other person:

Provided that this section shall not apply to— (78 of 1999 s. 7)

- (a) any attendant working in the bathhouse who enters any such room at the request of the occupant thereof or in an emergency; or
- (b) any child under the age of 7 years who enters any such room which is occupied by a relative or his nurse.

**14. (Repealed L.N. 84 of 1984)****15. Persons suffering from communicable diseases**

- (1) No person knowingly suffering from a communicable disease shall enter or remain in any bathhouse:

Provided that a health officer may issue a certificate in writing to any such person exempting him from the provisions of this subsection in any case in which such officer is satisfied that no danger to the public health is involved.

- (2) Any person employed or working in a bathhouse shall, if so required in writing by a health officer, submit himself to medical examination at such time and place as such health officer may direct and if, after medical examination, a health officer is satisfied that such person is suffering from any communicable disease or is likely to communicate to any other person any communicable disease, such last mentioned health officer may notify such person in writing to that effect, and such person shall forthwith cease to work in the same or any other bathhouse.

- (5) 任何人不得安排、容受或准許其知道或有理由相信根據第 (2) 款發出並且仍然有效的通知所關乎的人在任何浴室工作。
- (6) 如任何浴室的持牌人覺得，一名並非已妥為獲豁免受第 (1) 款條文規限的人患有傳染病，則該持牌人可指示該人離開該浴室。

## 16. 署長關閉浴室的權力

- (1) 為保障公眾衛生，署長可隨時命令所有浴室或任何指明的浴室在署長認為需要的一段期間內關閉不許公眾使用。 (1999 年第 78 號第 7 條)
- (2) 任何人不得為沐浴而進入根據第 (1) 款作出的命令所針對的浴室。
- (3) 根據第 (1) 款作出的每一項命令，須在憲報刊登。

## 17. 費用

- (3) A notice given under subsection (2) shall continue in force until cancelled by a further notice in writing by a health officer declaring such first mentioned notice to be cancelled.
- (4) No person shall cause, or suffer or permit, any person, other than a person who has been duly exempted from the provisions of subsection (1), whom he knows or has reason to believe to be suffering from any communicable disease to work in any bathhouse.
- (5) No person shall cause, or suffer or permit, any person in respect of whom he knows or has reason to believe that a notice given under subsection (2) is in force to work in any bathhouse.
- (6) If it appears to the licensee of any bathhouse that any person therein, other than a person who has been duly exempted from the provisions of subsection (1), is suffering from any communicable disease, the licensee may direct such person to leave the bathhouse.

(78 of 1999 s. 7)

## 16. Power of Director to close bathhouses

- (1) For the purpose of protecting the public health, the Director may, at any time, order that all bathhouses, or any specified bathhouse, shall be closed to the public for such period as may, in the opinion of the Director, be necessary.
- (2) No person shall, for the purpose of bathing therein, enter any bathhouse in respect of which an order has been made under subsection (1).
- (3) Every order made under subsection (1) shall be published in the Gazette.

(78 of 1999 s. 7)

## 17. Fees

- (1) 根據本規例批出的牌照，有效期為 1 年，由發出日期起計。
  - (2) 上述牌照的批出或續期費用為訂明費用。(1993 年第 122 號法律公告；1994 年第 297 號法律公告)
  - (3) 如署長信納某人所獲批給的上述牌照——
    - (a) 已經遺失、被銷毀或被意外污損；或
    - (b) 有需要作出修訂，
 則署長可在收到訂明費用後，向該人發出該牌照的複本或作出所需的修訂（視屬何情況而定）。
- (1991 年第 149 號法律公告；1992 年第 68 號法律公告；1996 年第 345 號法律公告；1999 年第 78 號第 7 條)

## 18. 就公眾雅觀方面而言浴室當作為公眾地方

為免生疑問，現宣布就與公眾雅觀方面有關的罪行而言，浴室的每個部分均當作為公眾地方。

## 19. 罪行及罰則

- (1) 任何人——
  - (a) 違反第 4、9(1)、10、11、13、15(1)、(4) 或 (5) 或 16(2) 條的任何條文；(1984 年第 84 號法律公告)
  - (b) 身為受僱於浴室或在浴室工作的人而——
    - (i) 沒有遵從根據第 15 條第 (2) 款條文提出的規定接受身體檢驗；或
    - (ii) 沒有按該款條文所載的規定停止在浴室工作；或
  - (c) 沒有遵從根據第 15(6) 條條文向其發出的指示，

- (1) A licence granted under this Regulation shall be valid for a period of 1 year from the date of issue.
  - (2) The fee for the grant or renewal of any such licence is the prescribed fee. (*L.N. 122 of 1993; L.N. 297 of 1994*)
  - (3) If the Director is satisfied that any such licence granted to any person—
    - (a) has been lost, destroyed or accidentally defaced; or
    - (b) requires amendment,
 the Director may, upon payment of the prescribed fee, issue to such person a duplicate of the licence or make the amendment, as the case may be.
- (*L.N. 149 of 1991; L.N. 68 of 1992; L.N. 345 of 1996; 78 of 1999 s. 7*)

## 18. Bathhouses to be public places for the purpose of public decency

For the avoidance of doubt, it is hereby declared that every part of a bathhouse shall, for the purpose of offences relating to public decency, be deemed to be a public place.

## 19. Offences and penalties

- (1) Any person who—
  - (a) contravenes any of the provisions of section 4, 9(1), 10, 11, 13, 15(1), (4) or (5), or 16(2); (*L.N. 84 of 1984*)
  - (b) being a person employed or working in a bathhouse—
    - (i) fails to submit himself to medical examination when required to do so under the provisions of subsection (2) of section 15; or

即屬犯罪。

- (2) 如第 7、8、9(2) 或 (3) 或 12 條的任何條文遭違反，浴室持牌人即屬犯罪。
- (3) 任何人犯本規例所訂的罪行，一經循簡易程序定罪，可處第 2 級罰款及監禁 1 個月；又如該罪行屬持續的罪行，則可按法庭就所提出的證明而信納屬該罪行持續期間內的每一天，另加罰款 \$50。 (1987 年第 286 號法律公告；1996 年第 177 號法律公告；1999 年第 78 號第 7 條)

## 20. 就罪行提出法律程序時可用的名義

在不損害與檢控刑事罪行有關的其他成文法則的條文，以及在不損害律政司司長關於檢控該等刑事罪行的權力的原則下，就本規例任何條文所訂罪行而作出的檢控，均可以署長的名義提出。

(1997 年第 362 號法律公告；1999 年第 78 號第 7 條)

## 21. 過渡性條文

在 2002 年 1 月 1 日前，本規例對在緊接 2000 年 1 月 1 日前已存在於在緊接該日期前稱為區域市政局轄區的地方的商營浴室，概不適用。

- (ii) fails to cease to work in any bathhouse when required to do so by the provisions of that subsection; or (*E.R. 3 of 2020*)
- (c) fails to comply with any direction given to him under the provisions of section 15(6),  
shall be guilty of an offence.
- (2) In the event of any contravention of any of the provisions of section 7, 8, 9(2) or (3) or 12, the licensee of the bathhouse shall be guilty of an offence.
- (3) Any person who is guilty of an offence under this Regulation shall be liable on summary conviction to a fine at level 2 and to imprisonment for 1 month and, where the offence is a continuing offence, shall be liable in addition to a fine of \$50 for each day during which it is proved to the satisfaction of the court that the offence has continued. (*L.N. 286 of 1987; L.N. 177 of 1996*)

(78 of 1999 s. 7)

## 20. Name in which proceedings for offences may be brought

Without prejudice to the provisions of any other enactment relating to the prosecution of criminal offences and without prejudice to the powers of the Secretary for Justice in relation to the prosecution of such offences, prosecutions for an offence under any of the provisions of this Regulation may be brought in the name of the Director.

(*L.N. 362 of 1997; 78 of 1999 s. 7*)

## 21. Transitional

This Regulation does not apply to commercial bathhouses existing immediately before 1 January 2000 in the area known immediately before that date as the Regional Council area, until 1 January 2002.

