

1964 No. 965

**SHOPS AND OFFICES**

**The Washing Facilities Regulations 1964**

<i>Made</i> - - - - -	<i>25th June 1964</i>
<i>Laid before Parliament</i>	<i>3rd July 1964</i>
<i>Coming into Operation</i>	<i>1st January 1966</i>

The Minister of Labour by virtue of the powers conferred on him by sections 10 and 80(3) of the Offices, Shops and Railway Premises Act 1963(a) (hereafter in these Regulations referred to as "the Act") and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

*Citation, commencement and interpretation*

1.—(1) These Regulations may be cited as the Washing Facilities Regulations 1964 and shall come into operation on 1st January 1966.

(2) The Interpretation Act 1889(b) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(3) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:—

"trough" means a trough measuring internally at least four feet over its longest or widest part with a smooth impervious surface and fitted with an unplugged waste pipe and having a supply of warm water laid on at points above the trough and at suitable intervals of not more than two feet;

"unit of trough or washing fountain accommodation" means two feet of length of a trough or, in the cases of circular or oval troughs and washing fountains, two feet of the circumference of the trough or fountain;

"wash-basin" means a fixed basin with a smooth impervious surface, having a supply of clean running hot and cold or warm water and fitted with a waste pipe and (except where the supply of water is from a spray tap) with a plug;

"wash-bowl" includes any water container suitable for use as a washing facility; and

"washing fountain" means a washing fountain measuring internally at least three feet over its widest part, with a smooth impervious surface and fitted with an unplugged waste pipe and having a supply of running warm water.

*Application of Regulations*

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

(2) Nothing in these Regulations shall apply to any premises to which the Act applies which are aggregated in a market, being either—

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(a) 1963 c. 41.

(b) 52 & 53 Vict. c. 63.

- (a) a market held by virtue of a grant from the Crown or of prescription or under statutory authority and which is maintained or regulated by a local or other authority ;
- (b) any market (other than as aforesaid) held in a market place of which the sole or principal use is for and in connection with the sale of horticultural produce by wholesale ; or
- (c) any market (other than a market specified in sub-paragraph (a) or (b) of this paragraph) which is a covered market place to which section 51 (power to adapt Act in relation to covered markets) of the Act relates.

*Provision of washing facilities*

3.—(1) Except as otherwise provided in these Regulations, in the case of premises to which these Regulations apply the provision of washing facilities for the use of persons employed to work therein shall not be suitable and sufficient provision for the purposes of section 10(1) of the Act—

- (a) unless, in addition to the provision of the facilities specified in the said section 10(1), provision is made—
  - (i) in the case of premises other than those to which sub-paragraph (ii) of this paragraph applies, in accordance with the appropriate provisions of Part I of the Schedule to these Regulations (which relates to the provision of wash-basins, troughs and washing fountains) ; or
  - (ii) in the case of premises to which Part II of the said Schedule applies, in accordance with the appropriate provisions of that Part of the said Schedule (which relates to the provision of fixed or portable wash-bowls) ; and

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

(2) The premises to which Part II of the said Schedule applies are—

- (a) premises of a class which by virtue of an order of the Minister of Labour pursuant to section 45 of the Act is for the time being exempted from so much of section 10(1) of the Act as requires the water supplied to be running water ; and
- (b) premises which by virtue of section 46 of the Act are for the time being exempted from so much of section 10(1) of the Act as requires the water supplied to be running water.

(3) Where in the case of any premises to which these Regulations apply—

- (a) the number of persons employed to work therein regularly exceeds five at any one time ;
- (b) persons of each sex are regularly employed to work therein ; and
- (c) the circumstances affecting the premises are such that it is reasonably practicable to provide washing facilities in proper separate accommodation for persons of each sex ;

the provision of washing facilities shall be deemed not to be suitable for the purposes of section 10(1) of the Act unless it affords proper separate accommodation for persons of each sex.

(4) Subject to paragraph 5 of this Regulation, in reckoning, for the purposes of this Regulation, Regulations 4 and 5 and paragraphs 1(a), 2, 3(a) and 4 of the said 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.

(5) In its application to persons employed by railway undertakers, who, by virtue of section 90(3) of the Act, are deemed to be employed to work in the premises at which the general control of the doing of their work is exercised, the last foregoing paragraph shall have effect as if the expression "in the premises" were omitted.

*Washing facilities 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 10(5) of the Act for enabling all or any of the persons employed to work in the premises to have the use of washing facilities provided for the use of others ; or
- (b) washing facilities 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 wash-basins, wash-bowls or units of trough or washing fountain accommodation (as the case may be) required by these Regulations to be provided in the case of the said premises for the said employed persons, the total number of persons for whose regular use the said washing facilities are made available during the periods during which persons are employed to work in the said premises shall be treated as if that were the number of persons regularly employed to work in the said premises at any one time.

(2) Where in any 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 part in single ownership of a building to which section 43 of the Act applies containing two sets or more of premises to which the Act applies ; or
- (c) in the case of a parcel of land in single ownership containing two sets or more of fuel storage premises to which section 44 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 washing facilities provided in pursuance of section 10 of the Act, the total number of the persons regularly so employed at any one time for whose use the facilities are provided shall, for the purpose of applying these Regulations, 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.

*Washing facilities 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 washing facilities 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 total number of wash-basins, wash-bowls and units of trough and washing fountain accommodation (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.

*Protection of washing facilities*

6. All accommodation where washing facilities are provided in pursuance of section 10(1) of the Act and of these Regulations shall be covered and enclosed to an extent sufficient to ensure protection from the weather for persons using them.

*Ventilation of washing accommodation*

7. Effective provision shall be made, as far as reasonably practicable, for ventilating rooms in which washing facilities are situated.

*Marking of washing accommodation*

8. Where in accordance with these Regulations separate accommodation is provided for persons of each sex, the accommodation shall be clearly marked to show for persons of which sex it is so provided.

Dated 25th June 1964.

Joseph Godber,  
Minister of Labour.

SCHEDULE

Regulation 3

PART I

WASH-BASINS, TROUGHS OR WASHING FOUNTAINS TO BE PROVIDED AS WASHING FACILITIES IN ACCORDANCE WITH SECTION 10 OF THE ACT IN THE CASE OF PREMISES NOT EXEMPTED FROM THE REQUIREMENT TO SUPPLY RUNNING WATER

1. In the case of premises (whether or not persons of both sexes are employed to work therein) where—

(a) the number of persons employed to work therein does not regularly exceed five at any one time ; or

(b) of the number of persons regularly employed to work therein there is none whose daily hours of work in the premises normally exceed two ;

one wash-basin or trough or washing fountain.

2. In the case of premises other than premises to which paragraph 1 of this Schedule applies—wash-basins, troughs or washing fountains in accordance with the following scale—

*Number of persons regularly employed to work in the premises at any one time (or, where separate accommodation for the sexes is required to be provided, number of such persons of each sex)*

1 to 15  
16 to 30  
31 to 50  
51 to 75  
76 to 100  
Exceeding 100

*Number of wash-basins or units of trough or washing fountain accommodation*

1  
2  
3  
4  
5

5, with the addition of one for every unit of 25 persons by which the number of persons exceeds 100 (any fraction of a unit of 25 persons being treated as one).

## PART II

FIXED OR PORTABLE WASH-BOWLS TO BE PROVIDED AS WASHING FACILITIES IN ACCORDANCE WITH SECTION 10 OF THE ACT IN THE CASE OF PREMISES EXEMPTED FROM THE REQUIREMENT TO SUPPLY RUNNING WATER

3. In the case of premises to which this Part of this Schedule applies (whether or not persons of both sexes are employed to work therein) where—

(a) the number of persons employed to work therein does not regularly exceed five at any one time ; or

(b) of the number of persons regularly employed to work therein there is none whose daily hours of work in the premises normally exceed two ;

one fixed or portable wash-bowl.

4. In the case of premises to which this Part of this Schedule applies, other than premises to which paragraph 3 of this Schedule applies—facilities on the scale of one fixed or portable wash-bowl for every unit of five persons (or, where separate accommodation for the sexes is required to be provided, for every unit of five persons of each sex) regularly employed at any one time to work therein (any fraction of a unit being treated as one).

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### EXPLANATORY NOTE

*(This Note is not part of the Regulations, but is intended to indicate their general purport.)*

Section 10(1) of the Offices, Shops and Railway Premises Act 1963 requires that there shall be provided, at places conveniently accessible to persons employed to work in premises to which the said Act applies, suitable and sufficient washing facilities, including a supply of clean, running hot and cold or warm water and, in addition, soap and clean towels or other suitable means of cleaning or drying. These Regulations determine for premises to which the said Act applies (other than premises aggregated in certain markets) what is suitable and sufficient provision for the purposes of the said section 10(1).

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STATUTORY INSTRUMENTS

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Printed in England and published by  
HER MAJESTY'S STATIONERY OFFICE: 1964

ISBN 0 11 100043 2