

# **NON-LOCAL HIGHER AND PROFESSIONAL EDUCATION (REGULATION) ORDINANCE (CAP.493)**

## **GUIDANCE NOTES FOR COMPLETION OF FORM 7A - ANNUAL RETURN OF A REGISTERED COURSE LEADING TO A NON-LOCAL HIGHER ACADEMIC QUALIFICATION**

### **GENERAL**

These Guidance Notes should be read in conjunction with the Non-local Higher and Professional Education (Regulation) Ordinance, Cap 493 (the Ordinance) and the Non-local Higher and Professional Education (Regulation) Rules, Cap 493B (the Rules). Operators are advised to refer to section 2 of the Ordinance and section 2 of the Rules respectively for interpretation of the terms used.

Each form is to cover only ONE course. Photocopies of the blank form may be made. Please do not delete any item or re-arrange the sequence of the items.

The Annual Return will be made available for public inspection at the Non-local Courses Registry (the Registry). It is therefore important that it is typewritten or hand-written neatly.

Items on the form are designed to elicit information on a registered course. Please put 'N/A' for item(s) not applicable and index attachments properly. Where space in the form is not sufficient, you may provide the information in separate sheets as appropriate. Course operators may furnish any relevant information that could assist the processing of the Annual Return.

### **ADVICE FROM HONG KONG COUNCIL FOR ACCREDITATION OF ACADEMIC AND VOCATIONAL QUALIFICATIONS**

The Registrar of Non-local Higher and Professional Education Courses may seek advice from the Hong Kong Council for Accreditation of Academic and Vocational Qualifications (HKCAAVQ) in verifying the annual return. The HKCAAVQ may approach you direct for further information in relation to the course

### **SUBMISSION ARRANGEMENT**

Please check that the following items are included in your submission to the Registrar:

- a. The duly completed Form 7A (**in duplicate**); and
- b. All required attachments (**in duplicate**).

The submission should be made to the Registrar **within 6 months** after the end of -

- (a) a period of 12 months counting from the date of registration of the course or from any anniversary of such date; or
- (b) an academic year of the course.

## **PAYMENT ARRANGEMENT**

A crossed cheque, draft or cashier order made payable to ‘The Government of the Hong Kong Special Administrative Region’ for the Hong Kong Council for Accreditation of Academic and Vocational Qualifications (HKCAAVQ)’s service charge should be sent to the Registrar upon demand when the Annual Return has been assessed by HKCAAVQ. Please refer to the ‘Schedule of Fees’, which is available from the Registry’s website <http://www.edb.gov.hk/ncr> for the amount payable.

## **ENQUIRIES**

Enquiries should be addressed to:

Non-local Courses Registry, Education Bureau  
Room 603, 6/F, 14 Taikoo Wan Road, Taikoo Shing  
Hong Kong

Telephone No. : (852) 2520 0255 or (852) 2520 0559  
Fax No. : (852) 2520 0061  
E-mail Address : enquiry\_ncr@edb.gov.hk

## **IMPORTANCE**

Please ensure that the Course Name, Registration Number and Award Title are the same as previously reported and tally with the record of the Registry. If the Course Name and/or Award Title has/have been changed but not yet reported to the Registrar, you should submit your notification for change immediately.

### **Part A Particulars of Operator**

Please enter the latest information regarding the Operator in the section. Operator should provide a copy of the following proof of identity as **Attachment 1** to the Annual Return if the relevant document has been updated or renewed during the reporting period.

- ♦ If the operator is an individual, a copy of ID CARD and the utility bill/bank statement/ other relevant documentation showing the address at which he/she ordinarily resides or from which he/she carries on business;
- ♦ If the operator is a registered school under the Education Ordinance (Cap.279), a copy of the relevant School Registration Certificate;
- ♦ If the operator is a company (solely owned, partnership/consortium or limited), a copy of the Business Registration Certificate on which the address of the company's registered office in Hong Kong is shown;
- ♦ If the operator is a non-Hong Kong company as defined by section 2(1) of the Companies Ordinance (Cap. 622), a copy of a utility bill showing the address of the principal place of business of the company in Hong Kong;
- ♦ If the operator is a body other than a company or an unincorporated body of persons, the relevant registration document, e.g society of registration, showing the address from which the body transacts business.

### **Part B Information about the Non-local Institution Responsible for the COURSE**

Please provide the latest information regarding the Non-local Institution Responsible for the **Course** in this section. If the accreditation/approval of the non-local institution responsible for the **Course** is renewed/reviewed/extended during the reporting period, the following documentary evidence as **Attachment 2** to this Annual Return is expected by HKCAAVQ:

<b>Country/Area</b>	<b>Examples of Documentary Evidence for Accreditation/ Approval Status of the Non-local Institution</b>
Australia	<ul style="list-style-type: none"><li>■ A screen cap of/ link to the website of Tertiary Education Quality and Standards Agency (TEQSA)</li><li>■ The approval documents from the Australian Skills Quality Authority (ASQA)</li><li>■ A screen cap of/ link to the website of Victorian Registration &amp; Qualifications Authority (VRQA)</li></ul>
China	<ul style="list-style-type: none"><li>■ List of Chinese Colleges and Universities (全國高等學校名單) published by the Ministry of Education</li></ul>
New Zealand	<ul style="list-style-type: none"><li>■ A screen cap of/ link to the website of the New Zealand Qualifications Authority (NZQA)</li></ul>

Country/Area	Examples of Documentary Evidence for Accreditation/ Approval Status of the Non-local Institution
Switzerland	<ul style="list-style-type: none"> <li>■ A screen cap of/ link to the list of “Recognised or Accredited Swiss Higher Education Institutions” maintained by Swissuniversities</li> </ul>
The United Kingdom	<ul style="list-style-type: none"> <li>■ The Orders of the Privy Council of the United Kingdom showing the statute of the institutions</li> <li>■ Approval documents from The Office of Qualifications and Examinations Regulation (Ofqual)</li> <li>■ A screen cap of/ link to the website of The Quality Assurance Agency for Higher Education (QAA)</li> </ul>
The United States of America	<ul style="list-style-type: none"> <li>■ A screen cap of/ link to the website of the relevant regional accreditor/ accreditation body (e.g. Commission on Colleges of the Southern Association of Colleges and Schools (SACS)/ Texas Higher Education Coordinating Board)</li> </ul>

Note: The examples listed above are not exhaustive. Institutions should provide the relevant evidence to prove their recognition status according to educational system of their own countries.

### Part C Information about the Non-local Institution/Body Responsible for the AWARD

**This section is only applicable if the non-local institution/body responsible for the award is different from that responsible for the Course.**

Please provide the latest information regarding the Non-local Institution Responsible for the **Award** in this section. If the accreditation/approval of the non-local institution responsible for the **Award** is renewed/reviewed/extended during the reporting period, the following documentary evidence as **Attachment 3** to this Annual Return is expected by HKCAAVQ:

Country/Area	Examples of Documentary Evidence for Accreditation/ Approval Status of the Non-local Institution
Australia	<ul style="list-style-type: none"> <li>■ A screen cap of/ link to the website of Tertiary Education Quality and Standards Agency (TEQSA)</li> <li>■ The approval documents from the Australian Skills Quality Authority (ASQA)</li> <li>■ A screen cap of/ link to the website of Victorian Registration &amp; Qualifications Authority (VRQA)</li> </ul>
China	<ul style="list-style-type: none"> <li>■ List of Chinese Colleges and Universities (全國高等學校名單) published by the Ministry of Education</li> </ul>
New Zealand	<ul style="list-style-type: none"> <li>■ A screen cap of/ link to the website of the New Zealand Qualifications Authority (NZQA)</li> </ul>
Switzerland	<ul style="list-style-type: none"> <li>■ A screen cap of/ link to the list of “Recognised or Accredited Swiss Higher Education Institutions” maintained by Swissuniversities</li> </ul>
The United Kingdom	<ul style="list-style-type: none"> <li>■ The Orders of the Privy Council of the United Kingdom showing the statute of the institutions</li> <li>■ Approval documents from The Office of Qualifications and Examinations Regulation (Ofqual)</li> <li>■ A screen cap of/ link to the website of The Quality Assurance Agency for Higher Education (QAA)</li> </ul>

Country/Area	Examples of Documentary Evidence for Accreditation/ Approval Status of the Non-local Institution
The United States of America	<ul style="list-style-type: none"> <li>■ A screen cap of/ link to the website of the relevant regional accreditor/ accreditation body (e.g. Commission on Colleges of the Southern Association of Colleges and Schools (SACS)/ Texas Higher Education Coordinating Board)</li> </ul>

Note: The examples listed above are not exhaustive. Institutions should provide the relevant evidence to prove their recognition status according to educational system of their own countries.

## Part D Fees, Payment Arrangement and Refund Arrangement

Please be reminded to read sections 10(3)(d) and (e) of the Ordinance and sections 4 and 6 of the Rules regarding collection and refund of fees and charges. It is important that you make the fees collection and refund arrangements clear to students before entering into contracts with them. Please provide a copy of the latest version of contract with the students with the latest terms of payment and refund arrangements of the course as **Attachment 4** to this Annual Return whether or not there have been changes to the contract during the reporting period.

## Part E Recruitment and Enrolment Statistics

Item 1 : “Recruitment exercise(s)” means specific period(s) of time when applications for enrolment to the course are accepted, e.g. if a course to be started in Oct was accepting applications from June to September, then one(1) recruitment exercise from June to September is considered being conducted.

“Intake(s)” means group(s) of students who start their study of course coherently, normally on the same date or within a short (say 1 week) pre-determined period. E.g. if a group of students start their study of the course on 1<sup>st</sup> October together, then one(1) intake on 1<sup>st</sup> October should be counted.

If a course is accepting applications for enrolment and/or allow students to start their studies at any time, please enter “any time” for “Recruitment exercise(s)” and “Intake(s)” and state that the course accepts applications and students any time.

Item 3 : “New students admitted” means students who commence their study fresh from start in the reporting period. Students who resume study after approved deferment or leave of absence should be **excluded**.

Item 4 : “Students successfully completed the course” means students who completed the course of study and satisfied the course requirements leading to the award of the non-local academic qualification.

Item 5 : “Students terminated/withdrawn/drop-outs” means students who were considered to have left the course without obtaining the qualification concerned. Students who were approved to defer their studies or on leave of absence should be **excluded**.

Item 6 : “Students registered at the end of reporting period” means students who are still under study in the course, **including** students who were approved to defer their studies or on leave of absence.

## Part F Information about the Course Conducted in Hong Kong and the Home Course

All the information requested under Section F **must be provided**. It is necessary to provide the updated information and furnish necessary **Attachments 5 and 6** such that the Annual Return can be assessed appropriately.

### Item 4: Particulars about the Course Conducted in Hong Kong and the Home Course

- Row 3 : Refers to the change to any of the following modes of delivery previously indicated in respect of the course in Form 1A or subsequent correspondence:
- Face-to-face tuition only
  - Distance learning with face-to-face tuition
  - Distance learning without face-to-face tuition
  - Others as specified previously
- Row 4 : Please state the minimum, standard and maximum allowable course length in months for the Hong Kong and home courses. If there are more than one modes of study for the course (e.g. full-time and part-time), please provide the information for all modes of study.

Standard length:	Please specify the length of study for a student who is admitted with basic/minimum qualifications and without credit exemption/deferment of study. The period should be indicative of the normal period during which a student could complete the course and obtain the qualification concerned, and should include all periods of non-studying periods (e.g. term-breaks).
Minimum length:	Please specify the minimum length a student could possibly complete the course and obtain the qualification, e.g. in case of a student taking maximum loading or entering the course with maximum exemption / transfer of credits granted.
Maximum allowable length:	Please specify the maximum length a student is allowed to complete the course and obtain the qualification. Under normal circumstances a student should be considered failed and not allowed to continue his/her study after this period.

- Row 6 : For the home course, the English language proficiency requirement refers to the requirement for international students, i.e. GCSE Grade, TOEFL or IELTS Scores.
- Row 8 : Refers to the decisions arrangement in approving exemption/transfer of credit/subject, e.g. decided by staff of home institution, or decided by Hong Kong staff in consultation with home institution.
- Row 9 : Refers to any deletion, addition, or change of subjects / modules, and / or change of credit weighting.
- Row 10 : Refers to the requirements a student must fulfil for graduation and be awarded the qualification, including but not limited to number of modules / subjects to be taken and passed, number of assignments to be presented and passed, number of examinations to be

taken and passed, the pass mark / grade of examination, completion of Thesis/Dissertation/Project, and completion of internship and placement.

Row 11 : “assessment elements” refer to written examinations, continuous assessment, thesis / dissertation / project and / or other elements as specified previously.

Row 12 : Refers to any changes in the standard setting, procedures, approving bodies, etc. for the moderation of tests, assessments and examinations results.

Row 13 : Refers to any changes in the appointment, and appointment criteria & procedures, for external examiner(s)/moderator(s).

Row 14 : Refers to services such as provision of learning materials, library facilities, IT facilities, academic / pastoral tutors, language support, study skills, and etc. as previously reported.

Item 5 : If any changes have been implemented in the compulsory or optional contact hours and the division of teaching hours among the home and the Hong Kong teaching staff for lectures, tutorials and group discussions including thesis/dissertation/project supervision, for the whole course or any modules/subjects, a revised **Attachment 7** in the format specified in the Form for the whole course and the modules/subjects affected should be provided.

Item 6 : Column 5 : “Other staff” refers to any non-local academic staff who are appointed for the Hong Kong course but are not teaching the comparable/ equivalent home course.

### Part G Registration Condition(s)

Please list the condition(s) imposed and describe the action taken / being taken correspondingly.

For courses registered on or after 31 October 2016, a standard condition of registration is imposed that the Operator shall maintain copies of each student’s application form(s), offer letter(s), credit exemption document(s), attendance record(s), transcript(s), certificate(s) and payment record(s) in relation to the course commencing from the beginning of the student’s studies until two calendar years after the completion or termination (on whatever grounds) of such student’s studies. Action taken / being taken for fulfilment of this condition should be reported.

### Part H Quality Assurance Activities

Item 1 : If revalidation/re-approval/review of the home or Hong Kong course has been conducted during the reporting period, documentary evidences should be made available for the assessment. The following documentary evidence, as **Attachment 8**, is expected by HKCAAVQ:

<u>Assessment item</u>	<u>Documentary Evidence to be presented</u>
Home Course	<u>Internal Revalidation and Re-approval</u> (i) From the Awarding Institution <ul style="list-style-type: none"> <li>■ Minutes of the Senate/Academic Board/highest academic authority of the institution clearly indicating the approval of the home course and the award(s) preferably with validity period; and</li> <li>■ Validation Panel Report (if any)</li> </ul>

Assessment item	<u>Documentary Evidence to be presented</u>
	<p>(ii) From the Non-local Institution Responsible for the Course (if different from the awarding institution)</p> <ul style="list-style-type: none"> <li>■ Minutes of the highest academic authority clearly indicating the approval of the home course; and</li> </ul> <p><u>External Revalidation/Re-approval (if external accreditation is required)</u> From the External Authority, e.g. a national accreditor/ accreditation body or the education authority in the home place of origin:</p> <ul style="list-style-type: none"> <li>■ A formal written approval (preferably with validity period) for the home course; or</li> <li>■ A formal written approval (preferably with validity period) for the home institution to offer the home course</li> </ul>
Examples	<p><u>The United Kingdom and Australia</u></p> <ul style="list-style-type: none"> <li>■ Minutes of the Senate/Academic Board of a recognised university to approve the original home course or the Quality Assurance Committee/Sub-Committee under the Academic Board to approve a latest revalidation/change; and/or</li> <li>■ Minutes of the highest academic authority of a Listed Body to approve the course/latest review and award; and the approval evidence from the Office of Qualifications and Examinations Regulation (Ofqual), UK or the database on Vocational Education and Training in Australia.</li> </ul> <p><u>The United States of America</u></p> <ul style="list-style-type: none"> <li>■ Minutes of the Board of Trustees to approve the original home course or the highest academic authority to approve the latest revalidation/change; and</li> <li>■ Letter from the relevant regional accreditor/ accreditation body (e.g. Commission on Colleges of the Southern Association of Colleges and Schools (SACS)/ Texas Higher Education Coordinating Board) on the home course or the home institution.</li> </ul> <p><u>China</u></p> <ul style="list-style-type: none"> <li>■ Ministry of Education, China’s approval document of the home course</li> </ul>
Hong Kong Course	<p><u>Internal Revalidation/Re-approval</u></p> <p>(i) From the Awarding Institution</p> <ul style="list-style-type: none"> <li>■ Same as home course</li> </ul> <p>(ii) From the Non-local Institution Responsible for the Course (if different from the awarding institution)</p> <ul style="list-style-type: none"> <li>■ Same as home course</li> </ul> <p><u>External Revalidation/Re-approval (if required)</u> From an External Authority, e.g. a national accreditor/ accreditation body or the education authority in the home place of origin:</p> <ul style="list-style-type: none"> <li>■ Same as home course</li> </ul>
Examples	<p><u>The United Kingdom and Australia</u></p> <ul style="list-style-type: none"> <li>■ Meeting minutes of the Quality Assurance Committee, which is the highest course approval authority of the home institution, which can indicate the Hong Kong course has been approved by the named Committee.</li> <li>■ Minutes of the highest academic authority of a Listed Body to approve the course/latest review and award; and the approval evidence from the Office of Qualifications and Examinations Regulation (Ofqual), UK or the database on Vocational Education and Training in Australia.</li> </ul> <p><u>The United States of America</u></p> <ul style="list-style-type: none"> <li>■ Minutes of the Board of Trustees to approve the offering of the course in Hong Kong; and</li> <li>■ Letter from the relevant regional accreditor/ Accreditation Body (e.g. Commission on Colleges of the Southern Association of Colleges and Schools (SACS)/ Texas Higher Education Coordinating Board) on the approval of the Hong Kong course.</li> </ul>



Assessment item	Documentary Evidence to be presented
	<u>China</u> <ul style="list-style-type: none"> <li>■ Minutes of the highest academic authority of the home institution to approve the course/latest review and award.</li> </ul>

Item 3 : Please provide the relevant approval records, e.g. Minutes of the Senate/Academic Board/highest academic authority of the home institution, of any new quality assurance measures introduced during the reporting period together with the updated/revised section of the Quality Assurance Manual / Handbook specifying the new quality assurance measures as **Attachment 9**.

### **Part I Appointment and Profile of Hong Kong Teaching Staff during the Reporting Period**

Item 1 : Please provide the relevant approval records, e.g. Minutes of the Senate/Academic Board/highest academic authority of the home institution, if there has been change to the appointment criteria of the home and/or Hong Kong Course teaching staff during the reporting period, as **Attachment 11**.

Item 2 : Please give details of the teaching staff profile in Hong Kong. If more space is required, you may make copies of the table or follow the same format in separate sheets.

### **Part J Teaching Activities during the Reporting Period**

Please state the total number of contact hours for each teaching activity (lecture, tutorial, practical and other supervised activities) conducted in the reporting period. If more space is required, you may make more copies of the table or follow the same format in separate sheets.

### **Part K Admission Records and Profile of Students**

Please give details of the admission records and student profile in Hong Kong as requested in this section. If more space is required, you may make more copies of the table or follow the same format in separate sheets.

Item 2 : “Date of Application” - means the date upon which an application for admission is submitted by an applicant.

“Date of Admission” - means the date upon which an applicant accepted an offer of study and was admitted into the course.

“Relevant Work Experience” - applicable where work experience is a requirement for admission or regarded as fulfilling part of the admission requirements.

“Exemption Granted on Admission” - please specify the subject(s) and the number of credit(s) exempted when the student was admitted to the course.

Item 3 : “Date of Graduation” – means the date of the transcript/certificate of graduation certifying that a student has successfully completed the requirements for the conferment of a qualification.

“Date of Admission” – means the date upon which the student accepted an offer of study and was admitted into the course.

“Total number of subjects/credits completed”- Only for subjects/credits earned through class attendance/assignments/examinations/dissertation/projects/ should be included. Subjects/credits earned by exemption should be reported in the next column.

“Total Exemption Granted” - Please specify all the subject(s) and the number of credit(s) exemption granted to the student for the purpose of obtaining the qualification concerned.

Item 4 : “Date of Admission” – means the date upon which the student accepted an offer of study and was admitted into the course.

“Number of subjects/credits completed during the reporting period”- Only for subjects/credits earned through class attendance/assignments/examinations/dissertation/projects/ should be included. Subjects/credits earned by exemption should be reported in the next column.

“Additional Exemption Granted” - Please specify the subject(s) and the number of credit(s) exempted during the reporting period.

“Anticipated date of completion of the course” - Please specify the date when the student is expected to complete all the course components, including lectures/tutorials/assignments/thesis/examinations/practical sessions, assuming no additional exemptions are granted and no deferment in study is approved.

## **Part L Updated Information of the Designated Person**

A "designated person" in relation to a registered course means the person who has given an undertaking referred to in section 10(1)(c)(iii) or 36(2) or (4) of the Ordinance in respect of the course, and has not been replaced under Section 36 of the Ordinance.

Under section 36(1) of the Ordinance, where the Registrar has reason to believe that the designated person of a registered course-

- (a) has died;
- (b) is incapacitated;
- (c) cannot be contacted; or
- (d) refuses or neglects to act as such designated person,

the Registrar may, by notice in writing given to the operator of the course, require the replacement of the designated person.

The role and functions of a designated person is described in sections 13(2)(a), 14(2)(a), 16(3)(b)(i), 16(5)(b), 19(1), 19(3) and 21(3) of the Ordinance. A designated person of a registered course who fails to comply with a requirement under sections 13(2)(a), 14(2)(a) or 16(3)(b) commits an offence, see section 17 of the Ordinance. The operator or designated person of a registered course who fails to comply with the requirements to notify the Registrar and/or students of the course of any changes in accordance with sections 19(1) or (3) commits an offence, see section 19(4) of the Ordinance.

## **Part M Declaration by Operator of the Course**

This declaration should be signed by the Operator of the course as defined by the Ordinance. The course name shall tally with that shown on page 2 of Form 1A. If the Operator is not an individual, Part M should be signed by:

- the Supervisor of the School as defined under the Education Ordinance when the Operator is a registered school under the Education Ordinance (Cap.279);
- the proprietor/one of the proprietors of the company when the Operator is a solely owned/private company;
- one of the partners when the Operator is a partnership firm/consortium;
- the Manager as defined by section 2(1) of the Companies Ordinance (Cap. 622) when the Operator is a limited company/non-Hong Kong company;
- the Executive Head who takes the lead managerial responsibilities of the Operator when none of the above is applicable.

**Please note the important WARNING at the end of the Guidance Notes.**

#### **Part N Statement by Executive Head of Non-Local Institution Responsible for the Course**

This statement should be signed by the Executive Head of the non-local institution awarding the higher academic qualification which the course leads to. The Executive Head normally refers to Vice-Chancellor or President of a university or Principal of a college. For an authorised signatory, it is necessary to provide the original authorisation document issued and signed by the Executive Head of the non-local institution if no such authorisation documents were previously provided to the Non-local Courses Registry.

**Please note the important WARNING at the end of the Guidance Notes.**

## WARNING

Please note that it is an offence to make a statement or representation of facts which is false in connection with the Ordinance. Your attention is drawn to the provisions of the Ordinance, and in particular to:

### ***Section 33(1)***

"Any person who in purported compliance with the provisions of this Ordinance or a requirement under this Ordinance makes any statement or representation of facts which is false in a material particular and which -

- (a) he knows to be false in such particular; or
  - (b) he has no reasonable ground to believe to be true in such particular,
- commits an offence."

### ***Section 33(2)***

"Any person who conceals, destroys, mutilates or falsifies any document or record affecting or relating to the affairs of any course with the intention of -

- (a) concealing any offence against this Ordinance or contravention of any condition imposed under Section 12; or
  - (b) obstructing any public officer in the performance of his functions under this Ordinance,
- commits an offence."

### ***Section 33(3)***

"Any person who commits an offence under Subsection (1) or (2) is liable on conviction to a fine at level 4 and to imprisonment for 2 years."

- END -