

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

**GUIDANCE NOTES FOR COMPLETION OF FORM 1P -
APPLICATION FOR REGISTRATION OF A COURSE
LEADING TO A NON-LOCAL PROFESSIONAL QUALIFICATION**

The following Guidance Notes are to assist operators to complete “Form 1P - Application for Registration of a Course Leading to a Non-local Professional Qualification” (the Form) under the Non-local Higher and Professional Education (Regulation) Ordinance (the Ordinance). The Notes should be read in conjunction with the Ordinance itself and the Non-local Higher and Professional Education (Regulation) Rules (the Rules). Applicants are advised to refer to Section 2 of the Ordinance and Section 2 of the Rules respectively for interpretation of terms used.

Each Application Form is to cover only ONE course. If you are seeking registration of more than one course, please use separate Application Forms. Photocopies of the Application Form are acceptable.

Items on the Form are designed to elicit information needed to consider the course for registration in accordance with the stipulated criteria. Course operators can furnish any relevant information. Please put ‘N/A’ for item(s) not applicable and use separate sheets if there is not enough space in the Form.

Purely distance learning courses with no physical presence in Hong Kong, as defined in Section 2 of the Rules, are not subject to regulation under the Ordinance. However, the Registrar of Non-local Higher and Professional Education Courses (the Registrar) welcomes applications for registration of such courses on a voluntary basis.

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

A. Particulars of Operator

An operator is the person, institution, or body which is in charge of the conduct of the course in Hong Kong or enters into a contract with another person under which the course is offered to that person.

Thus an application may be made by a person, an agency or a representative's office conducting the course in Hong Kong on behalf of the non-local professional body, OR by the non-local professional body itself. In some cases, the operator named in this Section may also be the body named in Sections B of the Form whereas in other cases the operator may be the local agency/ representative's office named in Section C.

Item 4: Address

If the operator is an individual, please provide the address at which he/she ordinarily resides or from which he/she carries on business;

If the operator is a company (solely owned, partnership/consortium or limited), please provide the address of the company's registered office in Hong Kong;

If the operator is a non-Hong Kong company as defined by section 2(1) of the Companies Ordinance (Cap. 622), please provide 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, please provide the address from which the body transacts business.

Item 11: Designated person

Please also refer to Guidance Note I for the responsibilities of the designated person in relation to a course.

B Information about the Professional body Awarding the Qualification

Item 7: Nature of the professional body

Please provide information such as whether the professional body is a statutory body, its organisation (e.g. whether it has overseas branches), categories of membership, etc.

Item 8: Recognition of the professional body by government and/or accreditation authorities in the home country

The documentary evidence for recognition should include requirements for practice in the relevant profession and the position of the non-local professional body in this regard.

Item 9: Requirement/eligibility for practice

Please provide information such as whether membership of the professional body or passing of professional examinations constitutes a requirement for practice or leads to eligibility for practice in the profession.

C. Information about the Local Agency/Representative's Office (if any)

The presence of a local agency/representative's office is NOT a requirement for course registration. This section is only applicable if the operator is the non-local institution/professional body.

D. Information about the Course to be Conducted in Hong Kong Leading to a Professional Qualification

Item 3: Date / Proposed date of first delivery of the course in Hong Kong

This refers to the date on which a course commences (i.e. when any of those course activities as defined under 'regulated course' in Section 2 of the Ordinance commences.)

Item 5: Length of course

"minimum length" refers to the shortest period of time in which the course may be completed, as specified by the course regulations.

"maximum allowable length" refers to the longest period of time allowed for the completion of the course, as specified in the course regulations.

Item 6: Minimum entry requirements

Please state the normal entry requirements as published in the course prospectus.

Item 9: Requirement for the award of the professional qualification

d. External professional examinations (if any)

Please provide titles of examination papers and relevant details e.g. maximum period allowed for passing the examinations, number of resits permitted, etc.

Item 10: Course assessment

- a. This refers to the assessment pattern and the relevant weighting of each component for each year/module of study. For example,

	Yr./Module 1	Yr./Module 2	Yr./Module 3
Written examination	30%	30%	-
Continuous assessment	70%	50%	30%
Thesis/Dissertation/Project	-	20%	-
Other	-	-	70%

This is an indicative format only and operators may choose to alter it to suit the special circumstances of individual courses.

- b. If examinations are not directly administered by the non-local professional body, please name the person(s) or organisation(s) responsible for conducting examinations in Hong Kong, e.g. the Hong Kong Examinations and Assessment Authority.

Item 11: Teaching/Learning activities associated with the course

It is important that you read Section 5 of the Rules regarding premises in which a registered course or an exempted course is conducted. The course operator is required to complete Form 4 (obtainable from the Non-local Courses Registry) to provide particulars of the premises in which any of the course activities is to be conducted. The Registrar's prior approval has to be sought for the conduct of the course in the premises, except for those premises exempted under Section 5(5) of the Rules. The completed Form 4 should be submitted to the Registrar not later than 3 months before the premises are used to conduct the course activities.

Item 13: Student numbers in Hong Kong

"maximum number" refers to the maximum number of students who can be enrolled in Hong Kong within the resources available.

"minimum number" refers to the minimum number of students required for the course to run.

Item 14: Student facilities and support services provided in Hong Kong

Learning materials: please specify the study material available and/or provided to students (e.g. video-tapes, self-study packages, course books).

Access to library: "library" here refers to libraries of local institutions/ organisations. Please give the names of the libraries and details of the types of access available e.g. reference, reader, borrower.

Other support: please specify any teaching and learning support not mentioned elsewhere (e.g. E-mail, 'fax-a-tutor', language laboratory, practicum, study skills, advice and counselling, etc).

Item 15: Academic qualification

Please refer to Section 2(2)(a) of the Ordinance for interpretation of how a course shall be regarded as leading to the award of a non-local higher academic qualification. If the course leads to both non-local higher academic qualification and professional qualification, the completed FORM 1A should be returned along with FORM 1P pertaining to the same course.

Item 16: Fees and charges

Please note that under Section 10(3)(d)(i) of the Ordinance, there should be an express term in the contract between the operator and students stating that the tuition fee charged for any part of the course (as defined in Section 2(7) of the Ordinance) shall not be payable before the period of 3 months. Only under exceptional circumstances and with full justifications from the operator will the Registrar exercise his discretion in allowing any other period for payment of tuition fee.

Please also refer to Section 10(3)(e) of the Ordinance and Sections 4 and 6 of the Rules regarding collection and refund of fees and charges.

E. Recognition by the Non-local Professional Body

The documentary evidence would preferably be a statement from the head of the non-local professional body confirming recognition of the course in Hong Kong for the purpose of awarding the qualification or of the claimed purpose referred to in Section 2(2)(b)(ii) of the Ordinance.

F. Information about Equivalent/Comparable Professional Course in Home Country of the Non-local Professional Body

Please note that an equivalent course is a course leading to the same qualification with identical mode (except for minor changes e.g. case studies, assignment titles, etc. to take account of local circumstances) of delivery/duration/entry requirements/curriculum/assessment methods. A comparable course is one that leads to the same qualification, but is different in its mode of delivery/duration/entry

requirements/curriculum/assessment methods.

G. Quality Assurance Procedures

Details submitted should include information on the following processes and the authorities responsible for:-

- (a) the overall development of the course in Hong Kong
- (b) the examination/assessment policy
- (c) the setting/marking of assignments/examinations in Hong Kong
- (d) the appointment of examiners/moderators
- (e) the approval of examination results and the award of the professional qualifications.

H. Declaration by Operator of the Course

This declaration should be signed by the operator of the course as defined by the Ordinance. If the operator is an institution/organisation, then the executive head of the operator should sign. The course name should tally with that shown on page 1 of Form 1P.

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

I. Undertaking by 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.

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 notify the Registrar and/or students of the course of any changes specified in sections 19(1) and (2) commits an offence, see section 19(4) of the Ordinance.

Please provide the address at which the designated person ordinarily resides and the address from which he/she carries on business.

WARNING

Please note that it is an offence to make a statements 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."