

First Kindergarten Premises Allocation Exercise 2021

Points to Note

KG Premises Available for Application:

- KG1** Level 2, Ancillary Facility Building, Po Shek Wu Estate, North District, New Territories
- KG2** Ground Floor, Wong Wui House, Queens Hill Estate, North District, New Territories
- KG3** Podium Floor, Wong Shun House, Queens Hill Estate, North District, New Territories
- KG4** Ground Floor, Carpark Building, Yan Ming Court, Tseung Kwan O, New Territories

Eligibility Requirements

1. The applicant body is required to meet the following eligibility requirements :
 - (a) (i) incorporated or will be incorporated under the Companies Ordinance, and its articles of association (A&A) contain all the standard articles required for allocation of a school premises. (Please refer to the Annex of Application Form.)
or
 - (ii) incorporated under other ordinances and the Permanent Secretary for Education is satisfied, having regard to its constitution, that it is fit to be considered for allocation of a school premises; and
- (b) exempted from tax under Section 88 of the Inland Revenue Ordinance.

Applicant bodies not meeting the requirements on incorporation status and non-profit-making status under Section 88 of the Inland Revenue Ordinance are NOT eligible for application and their applications would NOT be processed.

Applicant bodies that have yet to be incorporated under the Companies Ordinance can also submit application. They have to commit in writing that they will be incorporated under the Ordinance as soon as possible and will include all the standard articles required for allocation of a school premises in their A&A if the application is successful.

On the other hand, for an applicant body which meets the incorporation and non-profit-making status requirement stipulated above but does not have all of the standard clauses and articles required for allocation being included in its A&A, the application will still be processed subject to the applicant body's written confirmation to complete to revise its A&A and seek approval from the Registrar of Companies for the revision to be made should the application be successful. The formal allocation of any premises would be subject to the completion of all eligibility requirements for allocation of school premises.

Selection Criteria

2. Allocation of premises to applicant bodies is on a competitive basis. The basic principle for allocation of KG premises is to select applicant bodies to provide quality education for KG

students. The applicant body must have good organisation structure, proper management and sound financial footing; and is willing to collaborate with the Education Bureau (EDB) to implement education policies and initiatives.

3. To cater for the actual situation of KGs and reduce applicant bodies' administrative work, the EDB has decided to adopt a streamlined mechanism starting from 2021 for assessing applications for nomination of suitable operators for KG premises. In light of the decline in KG student population, the existing KGs joining the KG education scheme (Scheme-KGs) are able to provide sufficient places to meet the demand. However, there are differences in the demand and supply of KG places and parents' preferences in various districts. Besides, under the quality KG education policy, the EDB endeavours to look for suitable sites for KGs in need. KGs, especially those facing high rental expenses, dilapidated school environment and facilities, surplus of KG places in the district are encouraged to apply for the above KG premises for relocation. The EDB will accord priority to Scheme-KGs applying for relocation. Applications for operating new KGs would only be considered if no suitable applicants are found for relocation.
4. The EDB will assess each application based on the criteria endorsed by the School Allocation Committee (SAC) for selecting suitable applicant bodies. The KG to be operated needs to fulfil basic criteria, including offering a full local curriculum, free half-day programme in principle (except under special circumstance that charging school fee is required) and school fees of whole-day programme at low level, etc.
5. Quality of education is the prime consideration in selecting the suitable applicant bodies. The EDB will take into account the operation plan of the applicant bodies, track record of the KGs and their needs for relocation (if applicable). For applications for operating a new KG, overall track record of all schools under the applicant body are considered. For applications for relocation, the overall condition of the existing KG such as rental issue, the current physical condition and facilities, the demand and supply of KG places in the district where the KG is located and the school's preparation of relocation plan, etc. When reviewing the track record of the applicant body, the EDB mainly considers three aspects including School Administration and Management, Caring and Support for Children and Parents, and Learning and Teaching. Details are as follows:
 - (i) School Administration and Management Level: including whether there are non-compliance practices, support for government policies, leadership and management capabilities of the school, school's performance in daily operation, support from SSBs/operators and liaison and collaboration with external organisation(s), etc.
 - (ii) Caring and Support for Children and Parents: including whether the school can maintain caring culture and nurture positive values in children, performance in supporting children's diversity and their individual needs, measures to promote home-school communication and parent education, etc.
 - (iii) Quality of Learning and Teaching: including whether the school can provide quality curriculum as well as learning and teaching, appropriate play and learning activities in alignment with the curriculum, timetabling, arrangement of activity space, and measures to cater for the developmental needs of students, etc.

Submission of Application Forms and Supporting Documents

6. Application forms, Information on Operation Plan and supporting documents including documentary proof of eligibility as detailed in paragraph 1 above should reach the EDB at the following address **no later than 5 pm on 3 September, 2021**:

Kindergarten Education Division
Education Bureau
Room 1432, 14th Floor, Wu Chung House
213 Queen's Road East, Wanchai, Hong Kong

The supporting documents (items (a) - (d)) should **NOT** be stapled together with the Information on Operation Plan (item (e) below). The following documents should be submitted :

- (a) one original copy of the duly completed application form;
- (b) If the applicant body is incorporated under the Companies Ordinance, please provide its incorporation document with its Articles of Association (A&A) and complete the **Annex** to the Application Form;
- (c) If the applicant body is incorporated under its own Ordinance, please provide the content of the relevant Ordinance and its Constitution (if any);
- (d) Applicant body's certificate of exemption from tax;
- (e) 5 copies each of the following documents: (i) the duly completed Information on Operation Plan, and (ii) list of operating KGs and schools run by the applicant body (if any, please list the names, addresses and types of schools).

Late applications will not be accepted.

Relationship among the EDB, Successful Applicant Body, Hong Kong Housing Authority (HKHA) and The Link Properties Limited (The Link)

7. The EDB is entrusted by the HKHA to nominate an operator for the subject KG premises at concessionary rate. The Tenancy Agreement (TA) to be signed between the HKHA and the successful applicant body governs the use of the KG premises and is a matter between the HKHA and the successful applicant body with the latter having no direct contractual relationship with the EDB on any tenancy matter. If under unforeseen circumstances, the successful applicant body could not take up the premises, the EDB will not be obliged to re-allocate other premises as replacement. The successful applicant body should consult the HKHA regarding the conditions of the premises allocated and the terms of the TA. Besides, the commencement date of the TA to be signed between the HKHA and the successful applicant body shall be within six months from the date of the issue of the occupation permit in respect of the KG premises concerned or within six months from the date of the announcement of results of the relevant Exercise (or a date to be specified by the EDB or the HKHA), whichever is later.

8. For the existing KG premises under The Link, such premises for allocation is to be used as a KG for provision of welfare facilities under an agreement entered into between The Link and the HKHA. By the agreement, The Link is required to enter into a TA in respect of the concerned premises with a non-profit making educational organisation nominated by the EDB. The TA to be signed between The Link and the successful applicant body governs the use of the KG premises which is a matter between The Link and the successful applicant body with the latter having no direct contractual relationship with the EDB on any tenancy matter. If under unforeseen circumstances, the successful applicant body could not take up the premises, the EDB will not be obliged to reallocate other premises as replacement. The successful applicant body should consult The Link regarding the conditions of the premises allocated and the terms of the TA.

KGs and Child Care Centres (CCC)

9. Nomination of applicant bodies to the HKHA and The Link through this KG premises allocation exercise is for the purpose of operating KGs and the nomination bears no impact on the result of any possible subsequent application to the Joint Office for Kindergartens and Child Care Centres (JOKC) for CCC. The nominated applicant bodies should make application to the JOKC through established procedures if they, after having successfully allocated with premises, wish to operate CCC simultaneously in the premises concerned. In other words, allocation of the premises to the successful applicant bodies under this KG premises allocation exercise should not be taken as the Government's approval for operation of KG and CCC at the concerned premises simultaneously even though the applicant bodies may have already indicated such intention in their application documents. The application to JOKC for setting up CCC at the KG premises, if any, is independent from this KG premises allocation exercise. Successful applicant bodies under this KG premises allocation exercise are required to take up the premises for operation of KGs even if their subsequent application for setting up/ operation of CCCs are unsuccessful.

Undertaking by the KGs

10. For relocation of an existing KG, the successful applicant body will be required to undertake not to use the previous rented premises for any other school purposes. If the old premises is under the Government (including the HKHA) or The Link, the successful applicant bodies should return the KG premises to the Government or The Link. The applicant bodies allocated the KG premises will have to apply to join the Scheme. In case it withdraws or is not approved to join the Scheme, it has to return the KG premises to the Government or The Link.

Personal Information Collection Statement

11. The personal data provided in this application will be used for application for allocation of KG premises. It may be disclosed to officers/ persons responsible for the Exercise.
12. The provision of personal data by means of this application is obligatory. Failure to provide these data may affect the processing and outcome of your application.
13. The personal data collected in this application may be disclosed to other government departments/ bureaux for the aforesaid Exercise.
14. You have a right to request access to and correction of your personal data as provided for in Sections 18 and 22 and Principle 6 of Schedule 1 of the Personal Data (Privacy) Ordinance.

Your right of access includes the right to obtain a copy of your personal data provided in this application. This is however subject to payment of a fee.

15. Enquiries concerning the personal data collected by means of this application, including making of access and corrections, should be addressed to :

Access to Information Officer Education Bureau 16th floor, Wu Chung House 213 Queen's Road East Wanchai, Hong Kong
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Disclosure of information

16. All the information provided to the Government in connection with your application under this Exercise will be used for processing this Exercise only. The information may be disclosed to any other Government bureaux/ departments /officers or any other third party responsible for this Exercise as the Government shall consider appropriate.

Enquiries

17. For enquiries, please call 2892 5484 or 2892 5997. For more information, please visit the EDB's homepage at <https://www.edb.gov.hk/en/edu-system/preprimary-kindergarten/allocation-of-kg/latest-news.html>.