

Procedural Guide for Application for Registration of a Child Care Centre Within a Proposed / Registered Kindergarten Premises

(I) Statutory requirements

Any person who intends to operate a child care centre within a proposed / registered kindergarten premises should first acquaint himself with the statutory provisions governing the operation of a child care centre and a school as laid down in the Child Care Services Ordinance / Child Care Services Regulations and Education Ordinance / Education Regulations, copies of which can be purchased by calling the Government Publications Sales Section of Information Services Department (ISD) at telephone 2537 1910 or placing order with ISD by e-mail at *puborder@isd.gov.hk*.

2. Prospective operators should also consult the Joint Office for Kindergartens and Child Care Centres of the Education Bureau at Room 602, 6/F, 14 Taikoo Wan Road, Taikoo Shing, Hong Kong regarding the registration procedures of a child care centre. For registration of a kindergarten, the School Registration and Compliance Section of the Education Bureau should be approached for enquiry and processing of the application (Telephone No.: 2892 6335).

(II) Appointment for interviews

3. Appointment to meet staff of the Joint Office for Kindergartens and Child Care Centres (the Joint Office) to discuss about proposed establishment of a child care centre can be made by letter or through the duty officer of the Joint Office at tel. no. 3107 2197. All relevant plans or documents for the proposal should be produced at the meeting. An Operation Manual for Pre-primary Institutions will also be issued to the prospective operator for reference.

(III) Application to and consultation with the government departments concerned

4. It is advisable for all prospective operators to seek advice from an Authorized Person or professional consultant to ascertain whether the identified premises can meet the various requirements laid down in the Child Care Services Ordinance / Regulations and Education Ordinance / Regulations. Before they are certain that the premises can comply with the concerned requirement, they are advised not to lease, rent or purchase the premises for use for kindergarten-cumchild care centre (KG-cum-CCC) purposes. The prospective operator should ensure that there is no objection from the Planning Department, or, planning permission has been obtained from the Town Planning Board as required, or in case the premises is not within the outline zoning plan of Town Planning, from the District Lands Officer, Islands, for the operation of a KG-cum-CCC in the proposed premises.

5. Prospective operator should also check with the Landlord or Lands Department on the land use of the premises to ensure that it can be used to operate a KG-cum-CCC.

6. If a prospective operator decides to proceed with an application for registration of a child care centre at a proposed / registered kindergarten premises, he should prepare a copy of the layout plan of the premises for discussion. The proposed area of the centre for registration should be demarcated on the plan. Each plan should be drawn to scale with clear marking of the following:

- (a) Correct Chinese and English address of the proposed premises;
- (b) Chinese and English name of the proposed child care centre;
- (c) The area demarcated for registration as child care centre and kindergarten respectively;
- (d) The use of various parts or areas of the centre premises, including any portion being used for domestic purposes;
- (e) The position of all pillars, doors, windows, parapet walls, partitions, latrines / service sinks and wash-basins;
- (f) The total indoor floor area, and areas of separate rooms / parts of the proposed premises / total number of staff and children to be accommodated; and,
- (g) Signature of the prospective operator with date of submission.

7. The officer concerned of the Joint Office may arrange a site visit or an interview with the prospective operator to study the proposal. Upon preliminary agreement on the layout of the proposed plan, the prospective operator should then prepare 12 copies of the plan, each copy with his / her true signature, and the following application forms:

- (A) Application for Certificate from the Director of Fire Services; and,
- (B) Application for Certificate from the Director of Buildings / Housing / Architectural Services as appropriate.

8. Two copies each of Form (A) and (B) and 12 copies of the layout plan should be submitted to the Joint Office for onward transmission to the two departments concerned. The Joint Office would also forward a copy of the plan to the School Registration and Compliance Section for their record. In due course, the Fire Services Department and the Buildings Department / Housing Department / Architectural Services Department will arrange with the prospective operator for the inspection of the premises. When the fire precaution and structural requirements are complied with, the prospective operator will receive the certificates respectively from these departments.

9. According to the Electricity (Wiring) Regulations, Cap 406E, any fixed electrical installation in a child care centre has to be inspected, tested and certified by a registered electrical worker for its completion (including repair, alteration or addition), as well as subject to periodic inspection, testing and certification at least once every 5 years. The prospective operator has to

therefore observe the requirement and produce a copy of Work Completion Certificate (WR1 Form), together with a copy each of the Certificates of Registration of Electrical Worker and Electrical Contractor and/or a copy of Periodic Test Certificate (WR2 Form) as duly completed by the registered electrical worker and electrical contractor to the Joint Office as the document certifying electrical safety of the proposed centre. The WR1 / WR2 Forms are provided by the Electrical and Mechanical Services Department (EMSD), and obtainable at its Customer Services Office, at EMSD Headquarters, 3 Kai Shing Street, Kowloon (Public Enquiry Hotline number: 1823) or downloaded from the website of EMSD at <http://www.info.gov.hk/cgi-bin/forms/eframe.cgi?formnoinput=&keywordinput=&deptinput=ELMSD&dept=+++Search+++>

10. Similarly, in the case that the proposed centre requires Towngas or liquefied petroleum gas installation, the prospective operator has also to produce a Certificate of Completion and/or a Certificate of Annual Inspection / Maintenance as duly completed by a registered gas contractor, together with a copy each of the Gas Installer Registration Card and Certificate of Registration of Gas Contractor to ensure that the installation work is done in accordance with the Gas Safety Ordinance Cap.51 and relevant Codes of Practice. The Certificate of Completion Form and the Certificate of Annual Inspection / Maintenance are obtainable at the Joint Office. Any further enquiries on gas installation can be directed to the Public Enquiry Hotline of EMSD (Public Enquiry Hotline number: 1823).

(IV) Application to the Joint Office

11. In the meantime the prospective operator is required to submit to the Joint Office:

- (a) Personal Particulars Form for Operator of Child Care Centre or a copy of the company registration and/or business registration.
- (b) The time-table of daily activities of the proposed centre. (Please see the Child Care Services Regulations 10).
- (c) The proposed dietary scale and menu for centres operating full day service. (Please see the Child Care Services Regulations 35).
- (d) The application for approval of fees. The application form will be issued to the prospective operator directly. (Please see the Child Care Services Regulations 45C)
- (e) The name of an employee who holds a valid first aid certificate. (Please see the Child Care Services Regulations 43(2)).

12. The prospective operator should also produce documents like the assignment, rental contract or bills of public utilities expenses such as water supply or electricity to verify the authenticity of the address of the proposed centre.

13. At the final stage when all necessary certificates / documents as mentioned in Part (III) are to be available, the officer concerned of the Joint Office will arrange an inspection visit with the prospective operator to examine

whether the proposed centre complies with all requirements of the Child Care Services Ordinance and Regulations and is fully ready for commencement of service. On-site tapping of floor area of the proposed centre will also be done during the visit or before. The prospective operator will then be provided with the Application Form for Registration of Child Care Centre. An application for registration of a child care centre is considered to have been formally made only when the said Application Form is properly completed with all necessary certificates / documents as mentioned in Part (III) and Part (IV) Paragraph 11 attached, and submitted by the prospective operator to the Joint Office.

14. Successful registration of a child care centre depends on the prospective operator's ability to comply fully with the requirements specified in the Child Care Services Ordinance, Regulations and the Operation Manual for Pre-primary Institutions. It usually takes at least six months to complete the whole registration process.

(V) The Certificate of Registration

15. The Certificate of Registration issued by the Joint Office is free of charge.

(VI) Important note

16. Please be warned that according to Section 6(1) of the Child Care Services Ordinance, "no person shall operate or take part in the management of a child care centre which is not a registered child care centre"; and Section 6(2) stipulates that any person who contravenes Section 6(1) shall be guilty of an offence and shall be liable on conviction to a fine at level 6 and to imprisonment for 2 years.

17. This procedural guide only serves to inform prospective operators of the procedures of registration of a child care centre within a proposed / registered kindergarten premises and is in no way a summary or substitute for the provisions in the Child Care Services Ordinance and Regulations, nor does this information sheet have any legal force.

*Joint Office for Kindergartens and Child Care Centres
Education Bureau
(Revised in July 2019)*

在擬辦 / 註冊幼稚園校舍內 開辦幼兒中心的註冊申請程序指南

(I) 法例規定

一、 凡有意在擬辦 / 註冊幼稚園校舍內開辦幼兒中心人士，應先詳閱《幼兒服務條例》 / 《幼兒服務規例》及《教育條例》 / 《教育規例》所載有關經營幼兒中心及學校之法定條款[可致電政府新聞處刊物銷售小組(電話:2537 1910)或以電郵方式(電郵地址:puborder@isd.gov.hk)訂購該法例之印刷本。]

二、 有關人士亦應向教育局幼稚園及幼兒中心聯合辦事處諮詢在擬辦 / 註冊幼稚園校舍內註冊幼兒中心各項規定之詳情。幼稚園及幼兒中心聯合辦事處的地址如下:香港太古城太古灣道14號6樓602室。有關幼稚園註冊的規定,可向教育局學校註冊及監察組查詢(電話:2892 6335)。

(II) 預約見面時間

三、 如欲會晤幼稚園及幼兒中心聯合辦事處職員以討論開設幼兒中心事宜,可以書面或致電該處當值人員預約時間(電話號碼:3107 2197)。請攜同所有與該經營計劃有關之圖則及文件到晤。幼稚園及幼兒中心聯合辦事處(聯合辦事處)則會派發一本《學前機構辦學手冊》,以供參考。

(III) 向有關政府部門申請及查詢

四、 聯合辦事處建議有意申請開辦幼兒中心之人士，先徵詢認可人士或有關專業顧問的意見，以確定所物色的樓宇是否符合《幼兒服務條例》/《幼兒服務規例》及《教育條例》/《教育規例》所列明之條件。在未確知該樓宇符合有關法例的規定前，最好不要先行租入或購買該所樓宇作經營幼稚園暨幼兒中心之用。有意申請開辦幼稚園暨幼兒中心之人士應確保規劃署並不反對在該所樓宇經營有關服務，或已按規定取得城市規劃委員會的規劃許可；如該所樓宇不在城市規劃的分區計劃大綱圖範圍內，則該人士應確保已獲取離島區地政專員的規劃許可。

五、 有意申請開辦幼稚園暨幼兒中心之人士應向所物色樓宇的業主或地政署澄清有關處所的土地用途，是否可合法開辦幼稚園暨幼兒中心。

六、 假如有意經營者決定提出申請將某擬辦 / 註冊幼稚園校舍註冊為幼兒中心，他 / 她應繪製一份該樓宇之草圖與聯合辦事處商討，草圖必須用顏色筆括出申請註冊範圍，並應依照比例繪製及清楚註明下列各項：

- (甲) 有關樓宇之中英文正確地址；
- (乙) 擬辦幼兒中心之中英文名稱；
- (丙) 擬作幼稚園及幼兒中心的範圍；
- (丁) 樓宇內各部分之用途，包括用作住宅之地方；
- (戊) 所有石柱、門窗、護牆、間格、廁所 / 潔槽及洗手盆之位置；
- (己) 該樓宇之室內總面積及各間房間 / 樓宇各部份的面積 / 容納的職員及兒童總人數；及，

(庚) 有意經營者簽名及呈交草圖日期。

七、 聯合辦事處的職員有可能會透過與有意經營者面談或視察有關樓宇以研究該項申請。建議草圖經初步同意後，有意經營者應印製一式十二份擬辦的幼兒中心圖則，每份圖則上須有有意經營者的正本簽名，及預備下列申請表格：

(甲) 消防處證明書申請表；及，

(乙) 屋宇署 / 房屋署 / 建築署（視何者適用）證明書申請表。

八、 填妥表格（甲）及表格（乙）各一式兩份後，有意經營者必須連同擬辦的幼兒中心圖則一式十二份，遞交聯合辦事處，以便分別送交該兩個部門。另外，聯合辦事處會將一份圖則送交學校註冊及監察組作存案。消防處及屋宇署 / 房屋署 / 建築署隨後會與有意經營者安排視察有關樓宇，在驗明防火設施及建築結構均符合要求後，這些部門將向有意經營者發給證明書。

九、 根據香港法例第四零六E章電力條例的規定，幼兒中心內的任何固定電力裝置的電力工作（包括修理、改裝及增設）完工後，必須由註冊電業工程人員進行檢測、測試及發出證明書，並且須由註冊電業工程人員最低限度每隔五年進行一次定期檢查、測試及發出證明書。因此，有意經營者須遵守有關的規定，向聯合辦事處提供由註冊電業工程人員簽發的完工證明書（表格WR1）副本一份，連同電業工程人員的註冊證明書及電業承辦商註冊證明書副本各一份，及/或定期測試證明書（表格WR2）副本一份，作為建議開辦的中心的電力安全證明文件。WR1/WR2 表格由機電工程署提供，請向該署的客戶服務部索取（地址：九龍啟成街3號機電

工程署總部大樓；公眾諮詢熱線：1823）或在該署網頁
(www.info.gov.hk/cgi-bin/forms/eframe.cgi?formnoinput=&keywordinput=&deptinput=ELMSD&dept=+++Search++)下載。

十、同樣地，倘建議開辦的中心需要安裝煤氣或石油氣裝置，有意經營者亦須向聯合辦事處提供由註冊氣體承辦商填妥的完工證明書及/或每年檢查/維修證明書，連同氣體裝置技工註冊咭和氣體工程承辦商註冊證明書副本各一份，確認安裝工程符合香港法例第五十一章氣體安全條例及有關守則的規定。有意經營者請向聯合辦事處索取完工證明書表格及每年檢查 / 維修證明書。如在氣體裝置安裝工程上有任何進一步查詢，請向機電工程署詢問處提出(公眾諮詢熱線：1823)。

(IV) 向聯合辦事處提出申請

十一、在此期間，有意經營者可先向聯合辦事處呈交下列各項：

- (甲) 幼兒中心經營人個人資料或公司註冊證明及/或商業登記證明副本；
- (乙) 擬開辦幼兒中心之日常活動時間表(請參閱《幼兒服務規例》第10條)；
- (丙) 提供全日服務之中心所擬供應之膳食份量表及菜單(請參閱《幼兒服務規例》第35條)；
- (丁) 託兒費用核准申請；有意經營者會獲發給該申請表格(請參閱《幼兒服務規例》第45C條)；及，
- (戊) 提供一名持有有效急救證書僱員姓名(請參閱《幼兒服務規例》第43(2)條)；

十二、有意經營者亦應提供轉讓合約、租約、或公用事業收費單據，例如水費單或電費單等文件，以證明建議開辦的中心的地址真確。

十三、當上文第(III)部所述的證明書/文件均備妥後，聯合辦事處的有關人員會與有意經營者安排視察有關樓宇，檢查建議開辦的中心是否已全部符合上述條例及規例的規定，及是否已完全準備好開始服務。在進行視察時或之前，聯合辦事處的有關人員會實地量度建議開辦的中心的樓面面積。然後，有意經營者會獲發給幼兒中心註冊申請表格。有意經營人填妥申請表格，並連同上文第(III)部及第(IV)部十一段所列各證明書 /文件呈交聯合辦事處後，幼兒中心註冊申請才算被正式接納。

十四、一所幼兒中心獲准註冊與否，須視乎有意經營者是否有能力全部遵守《幼兒服務條例》、《幼兒服務規例》和《學前機構辦學手冊》的規定。註冊手續一般最少需時六個月。

(V) 註冊證明書

十五、註冊證明書由聯合辦事處發出，聯合辦事處並不會就發出註冊證明書收取任何費用。

(VI) 重要注意事項

十六、請注意，根據《幼兒服務條例》第6(1)條規定：「任何人不得經營或參與管理並非註冊幼兒中心的幼兒中心。」；而第6(2)條則規定：「任何人違反第(1)段的規定，即屬犯罪，經定罪後可處第 6級罰款及監禁2年。」

十七、這份程序指南只是讓有意經營者得知在擬辦 / 註冊幼稚園校舍內開辦幼兒中心之註冊申請手續，而非節錄或替代《幼兒服務條例》之條款，本指南亦無任何法律上之作用。

教育局

幼稚園及幼兒中心聯合辦事處

二零一九年七月修訂