

## **Guidance Notes on Application for Allocation of School Premises for Reprovisioning of Primary School**

### **Eligibility Requirements**

1. The eligibility requirements for allocation of a government-built school premises for reprovisioning of a primary school are as follows:
  - (a) (i) the applicant body is incorporated under the Companies Ordinance (The successful applicant body would be required to ensure that its memorandum and articles of association contain all the standard clauses and articles required for allocation of a school premises (See EDB Homepage: <http://www.edb.gov.hk/index.aspx?nodeid=731&langno=1>)<sup>1</sup>), or
  - (ii) the applicant body is 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) the applicant body is an approved charitable institution or trust of a public character exempt from tax under Section 88 of the Inland Revenue Ordinance; and
  - (c) be running one or more primary schools in Hong Kong<sup>2</sup>.

### **Basic Principle of Allocation**

2. Allocation is on a competitive basis. The basic principle for allocation of school premises is to select applicant bodies to provide quality education for school students. Thus, the applicant body should :
  - (a) have good organisation structure, proper management and sound financial footing; and
  - (b) demonstrate commitment to implementing education policies and initiatives promoted by the Education Bureau.

### **Proposed School Plan**

3. Applicant bodies are required to submit a proposal for the reprovisioning, setting out the vision and mission; management and organisation; learning and teaching; school ethos and support for students; student performance target; self-evaluation indicators, etc. School Sponsoring Bodies may make reference to the school(s) that they are operating and their respective performance to substantiate their case and include information as regards views from parents and teachers about the reprovisioning plan as appropriate. Format of proposed school plan is at **Annex**.

### **Submission of Application Forms, Proposed School Plans and Supporting Documents**

4. Application forms, proposed school plans and supporting documents including documentary proof of eligibility as detailed in paragraph 1 above should reach the Education Bureau at the following address no later than 5:00 p.m. on **15 March 2013**:

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<sup>1</sup> EDB's website would be revamped in mid-February 2013. After the revamp, the link would be revised to <[www.edb.gov.hk/en/sch-admin/sch-premises-info/allocation-of-sch/std-clauses-articles/index.html](http://www.edb.gov.hk/en/sch-admin/sch-premises-info/allocation-of-sch/std-clauses-articles/index.html)>.

<sup>2</sup> To be eligible for submitting the application for reprovisioning of the applicant school, the applicant body should be a registered school sponsoring body of the applicant school.

Infrastructure and Research Support Division  
Education Bureau  
6<sup>th</sup> Floor, East Wing, Central Government Offices  
2 Tim Mei Avenue, Tamar, Hong Kong

The supporting documents should **NOT** be stapled together with the proposed school plan. The following documents should be submitted –

- (a) one original copy of the duly completed application form;
- (b) one copy of detailed information on the eligibility of the applicant body [i.e. incorporation document and certificate of exemption from tax];
- (c) eighteen copies of the proposed school plan, executive summary and list of operating schools run by the applicant body with addresses and types, together with two CD-ROMS containing such information; and
- (d) one copy each of other supporting documents as listed in the Application Form .

Late or incomplete applications, as well as applications via email, will not be accepted.

#### **School Allocation Committee (SAC)**

5. All applications will be considered by the SAC which comprises government officials and non-officials.

#### **Agreement between the Government and the Selected Applicant Body**

6. Upon allocation of a school premises, the applicant body shall be required to:
  - (1) execute an undertaking to be signed jointly by the applicant body and the registered owner of the land on which the school is situated to surrender the existing site of the school together with all buildings and structures thereon (may be required to be demolished depending on the building conditions) to the Government free from encumbrances and any claims, actions, proceedings, and liabilities whether by way of adverse possession or otherwise, and free of cost and compensation. The registered owner of the land shall execute a Deed of Surrender if so required by the Government; and
  - (2) enter into a School Sponsoring Body Service Agreement (SSB SA) with the Government in accordance with the required timeframe set by the Government. The SSB SA sets out the obligations and conditions by which both parties undertake to abide. These include the applicant body's undertaking (a) to operate and manage the school in accordance with the proposed school plan accepted by the Government with amendments, if any; (b) to establish a School Management Committee (SMC), or an Incorporated Management Committee (IMC) in respect of aided schools, for operation of the school, which shall, where appropriate, be incorporated under the Companies Ordinance, Education Ordinance or other ordinances prescribed by the Government and shall be a charitable institution registered with the Inland Revenue Department under Section 88 of the Inland Revenue Ordinance; (c) to ensure the execution of a Tenancy Agreement and, where appropriate, an SMC/ IMC Service Agreement, with the Government in accordance with the required timeframe set by the Government; (d) to ensure that the SMC/ IMC shall operate the school to the agreed standard as set out in the school plan; and (e) to make available the school's buildings and facilities to the community for use outside school hours when required. Charges may be levied in

accordance with the schedule of charges as announced in the latest circular issued by the Education Bureau.

### **Personal Information Collection Statement for Collecting Personal Data of Applicants**

7. The personal data provided in this application will be used for applications for allocation of school premises under the School Allocation Exercise. It may be disclosed to officers/ persons responsible for the exercise.
8. 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.
9. The personal data collected in this application may be disclosed to other government departments/ bureaux for the purpose mentioned above.
10. 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.
11. Enquires concerning the personal data collected by means of this application, including making of access and corrections, should be addressed to :

<p>Access to Information Officer Education Bureau 10th floor, Wu Chung House 213 Queen's Road East Wanchai, Hong Kong</p>
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### **Disclosure of information**

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

### **Enquiries**

13. For enquiries, please call 3509 8413 or 3509 8411. For more information, please visit Education Bureau's homepage at  
<http://www.edb.gov.hk/index.aspx?nodeid=246&langno=1><sup>3</sup>.

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<sup>3</sup> EDB's website would be revamped by mid-February 2013. After the revamp, the path to the EDB Homepage would be revised to <[www.edb.gov.hk/en/sch-admin/sch-premises-info/allocation-of-sch/index.html](http://www.edb.gov.hk/en/sch-admin/sch-premises-info/allocation-of-sch/index.html)>.