

Guidance Notes on Application for Allocation of Estate Kindergarten Premises

Eligibility Requirements

1. The eligibility requirements for allocation of an estate Kindergarten (“KG”) premises are as follows:
 - (a) (i) the applicant body is incorporated under the Companies Ordinance, and its memorandum and articles of association (“M&A”) contain all the standard clauses and articles required for allocation of a school premises (See Homepage of Education Bureau (“EDB”): <http://www.edb.gov.hk/en/sch-admin/sch-premises-info/allocation-of-sch/eligibility.html>), 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.

Applicant bodies not possessing the 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. 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 M&A, the application will still be processed subject to the applicant body’s written confirmation to complete to revise its M&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.

Basic Principle of Allocation

2. Allocation is on a competitive basis. The basic principle for allocation of KGs is to select applicant bodies to provide quality KG education for children. Thus, the applicant body should:
 - (a) have good organisation structure, proper management and sound financial footing;
 - (b) demonstrate commitment to implementing education policies and initiatives promoted by the EDB; and
 - (c) preferably have experience in running KGs or schools, or have other relevant experiences.
3. Warnings issued to the applicant body or school(s) under its operation within the past two years by the Permanent Secretary for Education for malpractice will be taken into consideration in the allocation of the premises.

Proposed School Plan

4. Applicant bodies are required to submit a proposal for the KG, setting out the vision and mission; management and organisation; learning and teaching; support to children and social culture; children development target; self-evaluation indicators, etc. Applicant Bodies may make reference to the school(s)/ KG(s) that they are operating and their

respective performance to substantiate their case. For application for relocation of KGs, information on views from parents and teachers about the relocation should be provided. Format of proposed school plan is at **Annex**.

Submission of Application Forms, Proposed School Plans and Supporting Documents

5. Application forms, proposed school plans 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 5:00 p.m. on 27 January 2014:**

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| Infrastructure and Research Support Division Education Bureau 6 th Floor, East Wing, Central Government Offices 2 Tim Mei Avenue, Tamar, Hong Kong |
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The supporting documents should **NOT** be stapled together with the proposed school plan. The following documents should be submitted –

- (a) Duly completed and signed original copy of the application form;
- (b) If the applicant body is incorporated under the Companies Ordinance, please provide its incorporation document with its Memorandum and Articles of Association (M&A) and complete and return **Annex** of this 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) 18 copies each of (i) proposed school plan (NOT MORE THAN 10 pages* including all annexes) plus a 2-page* executive summary and (ii) list of operating KGs, schools (with names, and addresses) run by the applicant body with addresses and types; and 2 CD-ROMs containing (i) and (ii); and
- (f) Information showing that parents and teachers have been consulted on the proposed relocation of the KG and their views about the relocation (only applicable to application for relocation).

* *Content in pages exceeding the page limits would not be considered.*

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

School Allocation Committee (SAC)

6. All applications will be considered by the SAC which comprises government officials and non-officials. Recommendations made by the SAC will be forwarded to the Housing Department which will liaise direct with the recommended applicant bodies.

Relationship among EDB, the Successful Applicant Body and Housing Department

7. EDB is entrusted by the Director of Housing to nominate an operator for the subject KG premises at concessionary rate. The Tenancy Agreement (“TA”) to be signed between the Housing Department (“HD”) and the successful applicant body governs the use of the KG

premises is a matter between the Housing Department and the successful applicant body with the latter having no direct contractual relationship with EDB on any tenancy matter. If under unforeseen circumstances, the successful applicant body could not take up the premises, EDB will not be obliged to reallocate other premises as replacement. The successful applicant body should consult the Hong Kong Housing Authority (“HKHA”) regarding the conditions of the premises allocated and the terms of the Tenancy Agreement

District Cooling System

8. According to the Housing Department, the air-conditioning (A/C) provision for commercial/ non-domestic premises, including KG premises, in Kai Tak Development Area will be fed by a District Cooling System ("DCS") managed by the Electrical and Mechanical Services Department ("EMSD"). Installation of electrical air-conditioners will be prohibited in these premises. The KG premises are provided with chilled water pipes only and the tenants will be required to provide their own Air Handling Unit rooms, if necessary. The A/C charges consist of two components - minimum charges, and consumption charges. The minimum charges covers (i) the operation and maintenance cost of DCS installed by EMSD, and (ii) operation and maintenance cost as well as electricity cost of the A/C system installed by HKHA. The minimum charges would be about \$16,711 and \$16,256 per month for the KG premises at Kai Ching Estate and Tak Long Estate respectively. For A/C consumption charges, the estimated charges are about \$0.6 - \$1.8 per m² per hour. The actual amount depends on the actual consumption of chilled water in these KG premises. Successful applicants should refer to the relevant clause in the Tenancy Agreement on the air-conditioning charges. The minimum charges and consumption charges quoted are subject to revision by EMSD and HKHA. The adjustment in these charges, if any, will take effect from a date as notified by HKHA. For enquiries about DCS, please contact Mrs Lancy Wong or Mr Lau Kam-biu of the Housing Department at 2794 5373 or 2794 5356 respectively.

Personal Information Collection Statement for Collecting Personal Data of Applicants

9. The personal data provided in this application will be used for application for allocation of school premises under the School Allocation Exercise. It may be disclosed to officers/ persons responsible for the exercise.
10. 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.
11. The personal data collected in this application may be disclosed to other government departments/ bureaux for the purpose mentioned above.
12. 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.
13. 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
10th floor, Wu Chung House
213 Queen's Road East
Wanchai, Hong Kong

Disclosure of information

14. 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

15. For enquiries, please call 3509 8413 or 3509 8411. For more information, please visit EDB's homepage at <http://www.edb.gov.hk/en/sch-admin/sch-premises-info/allocation-of-sch/index.html>.