

## Application Form

### Fourth School Allocation Exercise 2014 Application for Allocation of School Premises for Reprovisioning of Primary School(s)/ Secondary School

(for application for reprovisioning of primary school(s))

Note:

1. Please read the guidance notes before completing this form.
2. Please use one application form for each school applying for reprovisioning.

**School proposed to be reprovisioned:**

(English) \_\_\_\_\_

(Chinese) \_\_\_\_\_

**Full address of the School:** \_\_\_\_\_

**Finance Type:** \_\_\_\_\_ \* Government/ Aided/ Direct Subsidy Scheme/ Caput

*\*Please delete as appropriate*

**Registered Name of the Applicant Body<sup>1</sup>:**

(English) \_\_\_\_\_

(Chinese) \_\_\_\_\_

**Correspondence Address:**

(English) \_\_\_\_\_

(Chinese) \_\_\_\_\_

**Name of Contact Person:**

(English) \_\_\_\_\_ (\*Mr/ Miss/ Ms/ Mrs)

(Chinese) \_\_\_\_\_ (\*先生/小姐/女士/太太)

Position: (English) \_\_\_\_\_ Telephone No: \_\_\_\_\_

(Chinese) \_\_\_\_\_ Fax No: \_\_\_\_\_

Email Address: \_\_\_\_\_

*\*Please delete as appropriate*

**Eligibility Requirement<sup>2</sup>**

1. Is the applicant body registered under the Companies Ordinance?

# Yes

No (Please specify under which Ordinance the applicant body is incorporated in Hong Kong:

\_\_\_\_\_ )

<sup>1</sup> To be eligible for submitting the application for reprovisioning of the applicant school, the applicant body should be a registered school sponsoring body for the applicant school.

<sup>2</sup> Please note the eligibility requirements of the applicant bodies as set out in Item 1 of the Guidance Notes.

## Application Form

2. Is the applicant body exempted from tax under Section 88 of the Inland Revenue Ordinance?

# Yes

No

# Please put a “✓” in the appropriate box.

### Location Preference :

Please indicate the preference for the locations below -			
Item No.	Type of School	Location	Priority <sup>3</sup>
PS1	Primary School	Planned New 30-classroom Primary School Premises at Development at Anderson Road, Kwun Tong, Kowloon (Site No.: KT 2b)	<input type="checkbox"/>
PS2	Primary School	Planned New 30-classroom Primary School Premises at Tonkin Street, Cheung Sha Wan, Kowloon	<input type="checkbox"/>

### Checklist on the documents required:

Enclosed

- |   |                          |
|---|--------------------------|
| 1. Duly completed and signed original copy of the application form.   | <input type="checkbox"/> |
| 2. Applicant body’s Memorandum & Articles of Association/Articles of Association and Annex I of this Application Form (only applicable if the applicant body is incorporated under the Companies Ordinance.)  | <input type="checkbox"/> |
| 3. Applicant body’s incorporation documents, including the content of the relevant Ordinance (only applicable if the applicant body is incorporated under other ordinances)   |                          |
| 4. Applicant body’s certificate of exemption from tax   |                          |
| 5. Survey form on existing school’s facilities, conditions and land/ building status (Annex II of this Application Form)  | <input type="checkbox"/> |
| 6. Details of ownership and ownership record, including but not limited to title deeds, land/ tenancy agreements with plans, latest ownership records certified correct by the Land Registry, writ, summons, charging order, notice or order of the Government or other competent authority, etc. (only applicable if the school is currently located within the private lot under the ownership of the SSB, the school or a third party related to the SSB/school) | <input type="checkbox"/> |
| 7. 19 copies each of (i) proposed school plan (NOT MORE THAN 10 pages <sup>#</sup> including all annexes) plus a 2-page <sup>#</sup> executive summary and (ii) list of operating primary schools run by the applicant body with addresses and types; and 2 CD-ROMs containing (i) and (ii).  | <input type="checkbox"/> |
| 8. Documentary proof that parents and teachers have been consulted on reprovisioning of the school and their views about the reprovisioning.  | <input type="checkbox"/> |

# Contents in pages exceeding the page limits would not be considered.

<sup>3</sup> Please indicate the location preference with “1” being the “most wanted.” A maximum of two and a minimum of one choice could be made. All applications are subject to consideration by the School Allocation Committee, and priorities indicated by the applicant bodies will be taken into account. Application with priority box not filled in or not indicating any explicit preference may not be processed further. The Government is not obliged to allocate any premises to any party or follow the priorities indicated by the applicant bodies.

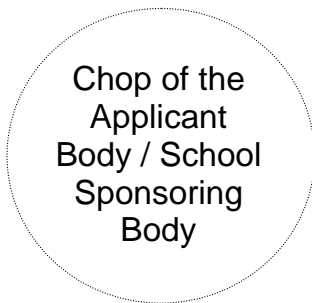
## Application Form

### If the applicant body is allocated a school premises, it will be committed to:

- (a) implementing education initiatives promoted by the Education Bureau;
- (b) returning its existing school premises. Where the existing site of the school is located within the private lot under the ownership of the SSB, the school or a third party related to the SSB/school, the applicant body will be committed to ensuring that upon allocation of the new premises to the applicant body, the existing site of the school together with all buildings and structures thereon shall be surrendered 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; and
- (c) signing a tenancy agreement for use of the school premises and service agreement(s) which will serve to facilitate quality control and to ensure compliance with relevant education policies.

### Disclosure of information

We understand that all the information we provide to the Government in connection with our 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.



Name of Responsible Person:

Signature : \_\_\_\_\_

(English) : \_\_\_\_\_

(Chinese) : \_\_\_\_\_

Position : \_\_\_\_\_

Organisation : \_\_\_\_\_

Date : \_\_\_\_\_

The invitation for application and submission of detailed school proposal is non-binding by nature. It does not constitute any kind of offer or the basis of any kind of offer to any party for school allocation, nor does it create any legal obligations on the Government. It does not prejudice any future scrutiny by the School Allocation Committee/ Government, nor commit them to any course of action including whether or not to approve any allocation at all, irrespective of the number of applications received. Nothing in this invitation shall oblige the Government to allocate the premises to any party at any time.

# Application Form

Annex I

## Standard Text required for Allocation of a School Site/ Premises

(only applicable if the applicant body is incorporated under the Companies Ordinance)

To be eligible for allocation of a school premises, the Articles of Association (A&A) submitted by the Applicant Body should contain *all* the standard texts stipulated below. Please indicate in the boxes on the right-hand column the relevant clause/ article numbers of the Applicant Body's A&A that correspond to the standard clauses and articles required.

If any of the standard clauses and articles has not been included in the Applicant Body's A&A, please put down "*not included*" in the boxes. If the application is successful, the Applicant Body will be required to revise its A&A accordingly and seek approval from the Registrar of Companies for the revision to be made.

	<b>Standard Articles Articles of Associations</b>	<b>Article No.</b>
<u>Objects</u>		
1.	The objects for which the Association is established ("Objects") are specifically expressed below: (Here express objects shortly)	<input type="text"/>
(1)	To establish and maintain a non-profit-making school or schools.	<input type="text"/>
(2)	To.....	<input type="text"/>
(3)	To.....	<input type="text"/>
(n)	To do all such other lawful things as are incidental or conducive to the attainment of the above Objects.	<input type="text"/>
Provided that:		
i.	In case the Association shall take or hold any property which may be subject to any trusts, the Association shall only deal with or invest the same in such manner as allowed by law, having regard to such trusts.	<input type="text"/>
ii.	The Objects of the Association shall not extend to the regulation of relations between workers and employers or organizations of workers and organizations of employers.	<input type="text"/>
<u>Powers of the Association</u>		
2.	The Association has power to do anything which is calculated to further its Objects but not otherwise, or is conducive or incidental to doing so. In particular, the Association has powers:	<input type="text"/>
(1)	.....;	<input type="text"/>
(2)	.....; and	<input type="text"/>
(3)	.....	<input type="text"/>
<u>Amendments to articles of association</u>		
3.	No addition, alteration, or amendment shall be made to or in these articles	<input type="text"/>

## Application Form

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of association of the Association, unless such addition, alteration or amendment has previously been submitted to and approved by the Registrar of Companies in writing or is made under a direction given under section 104(2)(b) or 105 of the Companies Ordinance.

### Application of income and property

- 4 (1) The income and property of the Association shall be applied solely  towards the promotion of the Objects as set out in these articles.
- (2) Subject to sub-article (3) below, none of the income or property of  the Association may be paid or transferred directly or indirectly, by way of dividend, bonus, or otherwise howsoever, to any members of the Association.
- (3) The requirement under sub-article (2) above does not prevent the  payment by the Association:
- a) of reasonable and proper remuneration to a member of the  Association for any goods or services supplied by him or her to the Association;
  - b) of reimbursement to a member of the Association for  out-of-pocket expenses properly incurred by him or her for the Association;
  - c) of interest on money lent by a member of the Association to the  Association at a reasonable and proper rate which must not exceed 2% per annum above the prime rate prescribed for the time being by the Hongkong and Shanghai Banking Corporation Limited for Hong Kong dollar loans;
  - d) of rent to a member of the Association for premises let by him  or her to the Association: Provided that the amount of the rent and the other terms of the lease must be reasonable and proper; and such member must withdraw from any meeting at which a proposal or the rent or other terms of the lease are under discussion; and
  - e) of remuneration or other benefit in money or money's worth to  a body corporate in which a member of the Association is interested solely by virtue of being a member of that body corporate by holding not more than one-hundredth part of its capital or controlling not more than a one-hundredth part of its votes.

### Liability of members

5. The liability of the members is limited.
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## Application Form

6. Each person who is a member of the Association undertakes that if the Association is wound up while the person is a member of the Association, or within one year after the person ceases to be such a member, the person will contribute an amount required of the person, not exceeding ..... to the Association's assets -
- (a) for payment of the Association's debts and liabilities contracted before the person ceases to be such a member;
- (b) for the payment of the costs, charges and expenses of winding up the Association; and
- (c) for the adjustment, among the contributories, of their rights.

### Net assets on winding up and dissolution

7. If upon the winding up or dissolution of the Association there remains, after the satisfaction of all its debts and liabilities, any property whatsoever ("the net assets"), the net assets shall not be paid to or distributed among the members of the Association but shall be given or transferred to some other institution or institutions, having objects similar to the Objects, and which shall prohibit the distribution of its or their income and property amongst its or their members to an extent at least as great as is imposed on the Association under or by virtue of Article 4 above and this article, such institution or institutions to be determined by a resolution of the members of the Association at or before the time of dissolution and in default thereof by a Judge of the High Court of the Hong Kong Special Administrative Region having jurisdiction in the matter. If and so far as effect cannot be given to the aforesaid provisions, the net assets shall be applied for charitable purposes as directed by a Judge of the High Court of the Hong Kong Special Administrative Region having jurisdiction in the matter.

### Operation of school(s)

8. The Association shall use its best endeavors to ensure that all school(s) managed by itself or under its direct or indirect supervision are operated in all respects to the full satisfaction of the Permanent Secretary for Education and in the best interest of the students, including but not limited to ensuring compliance with the applicable legislation and such other requirements as specified from time to time by the Permanent Secretary for Education.

### Management Committee/ Incorporated Management Committee

- 9 (i) The Directors shall, in accordance with the provisions of the Education Ordinance, set up for each school established or carried on by the Association a management committee or an incorporated

## Application Form

management committee established under the Education Ordinance. Subject to the provisions of the Education Ordinance, the members of the management committee or the incorporated management committee may be appointed or elected either for a fixed term or without limitation as to the period for which each of them is to hold office, and the nominees shall make application to the Permanent Secretary for Education for registration as managers under the provisions of the Education Ordinance.

(ii) Subject to the provisions of the Education Ordinance, the Directors  may remove or dismiss a member of a management committee from office and a member of an incorporated management committee may be removed or dismissed in accordance with the Education Ordinance. Any member so removed or dismissed and any member whose term of office has expired and has not been renewed or extended shall forthwith tender his resignation in writing to the Permanent Secretary for Education as a registered manager under the Education Ordinance.

(iii) The Directors or the management committee or the incorporated management committee shall nominate in accordance with the provisions of the Education Ordinance another member to replace a member of a management committee or an incorporated management committee who has been removed or dismissed or whose term of office has expired and such nominee shall make application to the Permanent Secretary for Education for registration as a manager under the provisions of the Education Ordinance.

(iv) A member of a management committee may be but need not necessarily be a Director. The composition of an incorporated management committee shall comply with the provisions of the Education Ordinance.

10. It shall be the special responsibility of a management committee or an incorporated management committee to manage the school in accordance with the Education Ordinance, and in all respects to the satisfaction of the Permanent Secretary for Education.

# Application Form

Annex II

**Fourth School Allocation Exercise 2014**  
**Application for Allocation of School Premises**  
**for Reprovisioning of Primary School(s)/ Secondary School**

**Survey Form on Existing School's Facilities, Conditions and Land/ Building Status**  
**- Re-provisioning of Primary School**

## 1. School Particulars

School Name: \_\_\_\_\_

District: \_\_\_\_\_ Finance Type: \_\_\_\_\_

## 2. Physical Condition

Age of School Building : \_\_\_\_\_ Years                      Site Area: \_\_\_\_\_ m<sup>2</sup>

The school has undergone the School Improvement Programme (SIP):

\* Yes    Phase: \_\_\_\_\_    Year of Completion: \_\_\_\_\_

No

\* Please put a "✓" in the appropriate box

## 3. Existing Facilities

Please list out below the facilities, with number, that the existing school is provided with. If the school has undergone SIP, please *separately* indicate the number of the facilities provided by SIP under the appropriate column.

Facilities	Total No. (A) <i>[Including those listed in (B)]</i>	No. provided by SIP <sup>4</sup> (B)
● Classrooms		
Special rooms :		
● Small Group Teaching Room		
● Music Room		
● Visual Arts Room		
● General Studies Room		
● Preparation Room (General Studies)		
● Multi-purpose Room		
● Preparation Room (Multi-purpose)		
● Computer Assisted Learning Room		
● Preparation Room for Computer Assisted Learning		

<sup>4</sup> For example, if the school has 20 classrooms originally and through SIP has obtained an additional 4 classrooms, then for the item "Classrooms" in Column (A), it should be 24, while in Column (B), it should be 4.



## Application Form

● Language Room		
● Library		

Facilities	Total No. (A) <i>[Including those listed in (B)]</i>	No. provided by SIP (B)
Other facilities:		
● Guidance Activity Room		
● Interview Room		
● Headmaster's Office		
● Deputy Headmaster's Office		
● Discipline Master's Office		
● General Office		
● Medical Inspection Room		
● Printing Room & Security Store		
● General Store		
● Staff Room		
● Staff Common Room		
● Student Guidance Officer's Office		
● Pantry		
● Conference Room		
● Assembly Hall		
● Stage		
● Physical Education Store/ Changing Rooms		
● Covered Playground		
● Playground with no Cover		
● Multi-purpose Area		
● Student Activity Centre		
● Tuck Shop cum Central Proportioning Area		
● Toilet for the Disabled		
● Lift for the Disabled/ Fireman		
Others (please specify):		

# Application Form

## 4. Class Structure and Enrolment Situation as at September 2014

	P1	P2	P3	P4	P5	P6	Total
No. of Classes							
Enrolment							

Net Vacancy: \_\_\_\_\_

## 5. Land/ Building Status

Ownership of the School Premises<sup>1</sup> proposed to be reprovisioned as described in Page 1 of the Application Form:

1. The piece or parcel of land of the School Premises together with the building(s), structure(s) together with all the easement and appurtenant thereto is:

\* within private lot \_\_\_\_\_ (lot no.) owned by \_\_\_\_\_  
 \_\_\_\_\_ (name of registered owner) (i.e. the SSB, the school or a third party related to the SSB/school) (please complete items 2 and 3 below)

on Government land (no need to complete items 2 and 3 below)

*\* Please put a "✓" in the appropriate box*  
 (Please provide details of ownership and ownership record<sup>2</sup>)

2. Please state clearly whether the School Premises is subject to any encumbrances<sup>3</sup> or any claims, actions, proceedings or liabilities.

\* Yes  
 No

*\* Please put a "✓" in the appropriate box*  
 (Please provide detailed information and relevant documents<sup>2</sup>)

3. Please state clearly whether the registered owner of the land on which the school premises is situated has agreed to surrender the land together with the building(s), structure(s) and all the easement and appurtenant thereto to the Government as a condition of school allocation for the applicant body.

\* Yes (please provide documentary proof)  
 No

*\* Please put a "✓" in the appropriate box*  
 (Should the applicant body fail to secure the agreement of the registered owner of the land to the above, this Bureau reserves the right not to consider the application.)

### Notes

1. Including but not limited to building(s)/ structure(s) and open space(s)/ playground(s) currently registered under Education Ordinance as described in relevant Certificate of Registration of the subject school.
2. Including but not limited to title deeds, land/tenancy agreements with plans, latest ownership records certified correct by the Land Registry, writ, summons, charging order, notice or order of the Government or other competent authority.
3. Including but not limited to charges and mortgages.