

Guidance Notes on Application for Allocation of School Premises for Physical Extension of an Existing Secondary School

Eligibility Requirements

1. When submitting the application, the school sponsoring body is required to meet the following eligibility requirements :
 - (a) (i) the school sponsoring body is incorporated under the Companies Ordinance (the successful school sponsoring body would be required to ensure that its articles of association contain all the standard texts required for allocation of a school premises (See EDB Homepage: <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;
- (b) the school sponsoring body is exempt from tax under Section 88 of the Inland Revenue Ordinance; and
- (c) the school sponsoring body is running one or more public sector or Direct Subsidy Scheme secondary schools in Hong Kong and is the registered school sponsoring body of the school applying for physical extension.

Basic Principle of Allocation

2. Allocation is on a competitive basis. The basic principle for allocation of school premises is to select the school sponsoring body that can provide quality education for school students. Thus, the school sponsoring body is required to :
 - (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.
3. Quality of education is the prime consideration in assessing the applications. When all things being comparable, priority will be given to the applicant school from within the same district as the vacant school premises being allocated to facilitate day-to-day school operation.

Furniture and Equipment Cost

4. The Government will bear the cost of furniture and equipment of the project. The exact amount to be provided by the Government for furniture and equipment will be subject to detailed vetting by the Government on the requirements. The school sponsoring body will have to submit information/ documents for vetting in relation to the provision of exact amount of furniture and equipment cost borne by the Government.

Proposed School Plan

5. School sponsoring bodies are required to submit a proposal for physical extension of school premises, setting out the vision and mission, management and organisation, learning and teaching, school ethos and support for students, student performance targets, 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. Views from parents and teachers about the

proposed physical extension should also be provided. Format of proposed school plan is at the **Annex**.

Submission of Application Forms, Proposed School Plans and Supporting Documents

6. Application form, proposed school plan 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 **23 March 2016**:

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) one original copy of the duly completed application form;
- (b) one copy of detailed information on the eligibility of the school sponsoring body [i.e. incorporation document and certificate of exemption from tax];
- (c) nineteen copies of the proposed school plan, executive summary and list of operating schools run by the applicant body with schools' names, addresses and types (if any), 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)

7. All applications will be considered by SAC which comprises official and non-official members.

Agreement between the Government and the Selected School Sponsoring Body

8. Upon allocation of a school premises, the school sponsoring body shall be required to enter into a School Sponsoring Body Service Agreement (SSB SA) with the Government before the handover of the allocated school premises. SSB SA covers the school operation as a whole and sets out the obligations and conditions by which both parties (i.e. the selected school sponsoring body and the Government) undertake to abide. These include the selected school sponsoring 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 incorporate under the Education Ordinance, the Companies Ordinance or other ordinances prescribed by the Government as appropriate an Incorporated Management Committee (IMC) in respect of aided schools, or a School Management Committee (SMC), for the operation of the school, and to ensure the IMC/SMC shall be a charitable institution that has obtained tax-exemption from the Inland Revenue Department under Section 88 of the Inland Revenue Ordinance; (c) to ensure the execution of a Tenancy Agreement in respect of the allocated school premises, and to ensure that the IMC/SMC shall enter into an IMC/ SMC Service Agreement with the Government in accordance with the required timeframes set by the Government; (d) to ensure that the IMC/ SMC shall operate the school to the agreed standard as set out in the school development plan as embodied in the IMC/ SMC SA; and (e) to make available the school's buildings and facilities to the Government and any other organisations

as may be approved by the Government for use when required. Charges may be levied in accordance with the schedule of charges as announced in the latest circular issued by the Education Bureau.

9. The school sponsoring body shall be required to enter into a tenancy agreement for the newly allocated school premises with the Government before the handover of the school premises.
10. The Government may repossess the newly allocated school premises if it is no longer of need or use to the school at the sole discretion of the Government. However, the service agreement will still cover the operations of the original school, and, if the original school premises are situated on Government land, the tenancy agreement for the original school premises shall continue to remain valid.
11. The Government may terminate the service agreement and repossess the newly allocated school premises if the school still fails to achieve the agreed operating standard in accordance with the school plan as embodied in the service agreement upon adequate prior notice being served and a reasonable time allowing for remedial action to be taken having expired. The Government may also repossess the original school premises standing on Government land and the school can no longer operate unless the original school is situated on private land, in which case the school may be allowed to continue to operate as a private school with no Government subvention.
12. Applicants should note that the provision of 2000 standard design school premises would be used as a benchmark for topping up the Administration Grant for the applicant school regardless of the actual spaces allocated. Successful applicant school should deploy resources on its own to manage extra spaces allocated in its proposals.

Personal Information Collection Statement for Collecting Personal Data of Applicants

13. 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.
14. 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.
15. The personal data collected in this application may be disclosed to other government departments/ bureaux for the purpose mentioned above.
16. 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.
17. 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

18. 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

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