

Third School Allocation Exercise (“SAE”) 2017
Application for Allocation of a Planned School Premises
for operation of a new Aided Primary School
(including transitional operation at a Vacant School Premises)

Guidance Notes

Eligibility Requirements

1. The applicant body is required to meet the following eligibility requirements :
 - (a) (i) incorporated under the Companies Ordinance, and its articles of association (“A&A”) contain all the standard 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) 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) 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 A&A, the application will still be processed subject to the applicant body’s written confirmation to complete to revise its A&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. As such, an applicant body may consider initiating the amendment process as early as possible if its A&A do not contain all of the standard clauses and articles required for allocation of school premises.

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 must:
 - (a) have good organisation structure, proper management and sound financial footing;
 - (b) demonstrate commitment to implementing education policies and initiatives by EDB; and
 - (c) preferably have experience in running primary schools, or have other relevant experiences.
3. Quality of education is the prime consideration in assessing the applications.

4. 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.
5. Since the new aided primary school belongs to School Net 91 (Shatin Town Centre) of Sha Tin under the Primary One Admission, its school net will remain unchanged during the transitional period in which the new aided primary school is operating at the temporary premises in Tai Wai, i.e. School Net 91.

Furniture and Equipment Cost

6. The applicant body will have to bear the cost of furniture and equipment for operating the aided primary school at the new school premises in Shui Chuen O. For reference purpose, currently, the capital costs for acquiring the furniture and equipment for a standard design 30-classroom primary school are about \$2.56 million. The furniture and equipment lists for new schools will be reviewed periodically to meet new requirements and reflect the current costs.
7. In respect of the transitional arrangement where the new aided school will first commence operation at the temporary premises, the Government will bear the relevant cost of furniture and equipment. 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 applicant 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

8. Applicant bodies are required to submit a proposal for the new primary school, setting out the vision and mission, management and organisation, learning and teaching; school ethos and support for students, students' performance targets, self-evaluation indicators, etc. Applicant bodies also need to set out the implementation plan of commencing the operation of the a new aided primary school at the temporary premises with effect from the 2018/19 school year and the future plan to relocate to the planned premises upon completion of the planned premises in the proposal. Applicant bodies may make reference to the school(s) that they are operating and their respective performance to substantiate their case. Format of a proposed school plan is at the **Annex** to this Guidance Notes.

Submission of Application Forms, Proposed School Plans and Supporting Documents

9. 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 15 September 2017:**

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

The supporting documents (items (a) - (d) below) should **NOT** be stapled together with the proposed school plan (item (e) below). The following documents should be submitted –

- (a) one original copy of the duly completed application form;
- (b) If the applicant body is incorporated under the Companies Ordinance, please provide its incorporation document with its Articles of Association (“A&A”) and complete and return the **Annex** to the 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; and
- (e) 22 copies each of the following documents: (i) the proposed school plan (NOT more than 15 pages[#] including all annexes), (ii) the executive summary (NOT more than two pages[#]) and (iii) list of operating schools run by the applicant body (if applicable, please list the names, addresses and types of schools), together with two CD-ROMS containing information on (i), (ii) and (iii).

[#] *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”)

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

Agreement between the Government and the Selected Applicant Body

11. Upon allocation of the concerned premises, the applicant body shall be required to enter into a School Sponsoring Body Service Agreement (“SSB SA”) with the Government within the required timeframe set by the Government. The SSB SA sets out the obligations and conditions by which both parties (i.e. the selected applicant body and the Government) undertake to abide. These include the selected applicant body’s undertaking (a) to operate the school and oversee the school management in accordance with the proposed school plan accepted by the Government with amendments, if any; (b) to incorporate under the Education Ordinance an Incorporated Management Committee (“IMC”) in respect of the school for the management of the school, and to ensure the IMC 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 SSB Tenancy Agreement in respect of the allocated school premises within the required timeframe set by the Government; (d) to ensure the execution of an IMC Service Agreement and an IMC Tenancy Agreement (“TA”) with the Government after the establishment of the IMC within the required timeframes set by the Government; (e) to ensure that the IMC shall operate and manage the school to the agreed standard as set out in the school development plan as embodied in the IMC SA; and (f) 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. Charges may be levied in accordance with the schedule of charges as announced in the latest circular issued by EDB.

12. Under normal circumstances, if any one of the SSB/ IMC SA or SSB/ IMC TA is terminated or expires without renewal, the rest of the agreements will also be terminated
13. The Government may terminate the SSB SA in the event of any failure from the applicant body to achieve the agreed performance standard for the school, or giving up of the operator's right to operate the school. The Government may also terminate the IMC SA if the school fails to achieve the agreed operating standard in accordance with the School Development Plan as embodied in the IMC SA upon adequate prior notice being served and a reasonable time allowing for remedial action to be taken having expired. In either case, the Government shall repossess the newly allocated school premises.

Personal Information Collection Statement for Collecting Personal Data of Applicant Bodies

14. 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.
15. 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.
16. The personal data collected in this application may be disclosed to other government departments/ bureaux for the purpose mentioned above.
17. 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.
18. 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

19. 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

20. 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>.