

Chapter 1 Introduction

The purpose of this Guide is to outline the main points that should be taken into account when a registered or provisionally registered school applies for extension of school premises under the Education Ordinance (Chapter 279 of the Laws of Hong Kong) and to provide them with general information. It aims to set out the normal requirements for the reference of those schools that would like to extend to additional premises in the same district or move to new school premises. Reference should also be made to the Education Ordinance and Education Regulations for reference by visiting the Bilingual Laws Information System at <https://www.elegislation.gov.hk/> → Go to Chapter row (enter 279).

Please note that application for extension of school premises will not be processed **if the application is submitted after the expiry of the tenancy of the registered or provisionally registered school premises.**

1. The Legislation

- a. Every school should observe the Education Ordinance and the Education Regulations.
- b. No school shall be operated in any additional/new premises until the certificate of registration or provisional registration of the school is amended to include such premises in accordance with the Education Ordinance.

2. Government Departments

Approval for extension of school premises will only be granted to a school which has met the requirements/recommendations issued by the following government departments –

- a. Planning Department (PlanD)
- b. Lands Department (LD)
- c. Fire Services Department (FSD)
- d. Buildings Department (BD)/Independent Checking Unit, Office of the Permanent Secretary for Housing (ICU)
- e. Education Bureau (EDB)
- f. Department of Health (D of Health)

See Appendices 1-7 in Chapter 2 for details

3. Forms

Forms for extension of school premises can be obtained from:

- a. School Registration and Compliance Section of EDB at 28/F, E-Trade Plaza, 24 Lee Chung Street, Chai Wan, Hong Kong; or
- b. EDB's website at <https://www.edb.gov.hk/en/sch-admin/sch-registration/about-sch-registration/extension-of-sch-premises.html>

4. Application Fee

Fees will be charged by the Land Registry, Lands Department and Fire Services Department.

5. Certificate of Registration / Provisional Registration

An amended certificate of registration/provisional registration of a school will be issued by EDB when the application for extension of school premises is approved.

6. Penalty for Non-Compliance

Section 19(1) of the Education Ordinance specifies that no school shall be operated in any premises other than the premises specified in the certificate of registration or provisional registration of the school. Any person who is an owner or manager of a school without IMC¹ which is operated in contravention of section 19(1) shall be guilty of an offence and shall be liable on conviction to a fine of \$250,000 and to imprisonment for 2 years.

Any person who teaches in any premises other than the premises specified in the certificate of registration or provisional registration of a school shall be guilty of an offence and shall be liable on conviction to a fine at level 5 (\$50,000) and to imprisonment for 2 years.

¹ A school without IMC means a school other than an IMC school, whereby an "IMC school" means a school in respect of which an incorporated management committee (IMC) is established under Part IIIB of the Education Ordinance. Aided schools (and DSS/specified schools that choose to establish IMC) shall establish an IMC in accordance with the timeframe provided for under the Education Ordinance. The Permanent Secretary for Education may by order in writing close any premises of a

school which is not registered or provisionally registered.

7. Reminder

Applicants, while having dealings of any kind with the Education Bureau and other Government departments, should not offer advantage to Government officers.