

Chapter 1 Introduction

The purpose of this Guide is to outline the main points that should be taken into account when an applicant applies for registration of a school and to provide general information with a view to assisting members of the public in their applications for registration of schools under the Education Ordinance (Chapter 279 of the Laws of Hong Kong). It aims to set out the normal requirements for the issue of registration certificates for the reference of those interested in establishing schools in Hong Kong. Applicants should also refer to the Education Ordinance and Education Regulations for reference. To access the relevant information, please visit the Bilingual Laws Information System at <https://www.elegislation.gov.hk/> → Go to Chapter row (enter 279).

1. The Legislation

Every school should observe the Education Ordinance and the Education Regulations.

2. School Registration

a. Definition of a School

According to the Education Ordinance, a “school” means an institution, organisation or establishment which provides for 20 or more persons during any one day or eight or more persons at any one time, any nursery, kindergarten, primary, secondary or post secondary education or any other educational course by any means, including correspondence delivered by hand or through the postal services.

b. Application for Registration of a School

According to the Education Ordinance, an application for registration of a school shall be made to the Permanent Secretary for Education (the Permanent Secretary) in the specified form and accompanied by the documents specified in such form¹. If the school is to be operated in or in any part of any premises which are not designed and constructed for the purposes of a school, additional documents should be provided.

¹ For an application for registration of a school made to the Permanent Secretary for Education, submission of documents including Form 1 (Application for Registration of A School), Form 6 (Application for Registration as A Manager), documentary proof of the right to use the premises (e.g. tenancy agreement/sales and purchase agreement/authorization by landlord), endorsed Form P, endorsed Form L, copy of A1 and A2 submitted to Fire Services Department (FSD) & Buildings Department/Independent Checking Unit, Office of the Permanent Secretary for Housing and layout plan is required.

3. Government Departments

A Certificate of Provisional Registration of A School/Certificate of Registration of A School will only be issued 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

4. Forms

Forms for school registration 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 <http://www.edb.gov.hk/en/sch-admin/sch-registration/about-sch-registration/info-application-sch-registration.html>

5. Application Fee

Fees will be charged by the Land Registry (LR), LD and FSD.

6. Processing Time²

EDB will consider issuing a certificate of provisional registration to a school within 10 working days when all required information and documents are received and found in order.

² Please refer to Appendix 5c for the respective time-pledges set by BD/ICU and FSD for processing applications for safety certificates and notice. As regards the time-pledge for issuing health requirements and recommendations by the Department of Health, please refer to Appendix 7a.

7. Briefing Sessions

Briefing sessions are held regularly by the School Registration and Compliance Section of EDB. For enquiries, please call 2186 6420.

8. Certificate of Registration/Provisional Registration

A certificate of provisional registration which is normally valid for one year will be issued to a school by EDB when it is provisionally registered.

Full registration will only be granted to a school upon its full compliance with the requirements issued by all relevant authorities, and **a certificate of registration** will then be issued to the school.

9. Penalty for Non-Compliance

Any person who is an owner or a teacher in a school which is not registered or provisionally registered or any person who manages or takes part in the management of a school which is not registered or provisionally registered shall be guilty of an offence and shall be liable on conviction to a fine of \$250,000 and to imprisonment for 2 years. The Permanent Secretary may by order in writing close any premises of a school which is not registered or provisionally registered.

10. Reminder

Applications, while having dealings of any kind with EDB and other Government departments, should not offer advantage to Government officers.