

Expression of Interest for vacant school premises/school sites for international school development

Note to respondents

Basic requirements

- (1) Applicants interested in applying for the vacant school premises/school sites are required to fulfill the following basic requirements under the prevailing policy for international schools –
- (a) **at least 70%** of the school places shall be allocated to non-local students (“local students” refer to those who are Hong Kong Permanent Residents (with the right of abode in the Hong Kong Special Administrative Region (HKSAR)) and do not have any valid passport other than the HKSAR Passport. Students not meeting this definition are regarded as “non-local students”). For existing international schools, this student mix requirement would be applied to **the entire school** (i.e. all existing campus(es) as well as the new campus allocated in this exercise);
 - (b) the school operators shall operate a non-local curriculum suitable for international schools. Curriculum which leads to local examination or mainly prepares for articulation to local schools in Hong Kong shall not be accepted;
 - (c) the school operators shall use the vacant school premises/school site for operation of a primary, secondary or primary-cum-secondary international school. It could be a new school or expansion of an existing international school. The Government does not provide premises or sites for the operation of pre-primary, child care centre, nursery or kindergarten. Given the small size of the two vacant school premises/school sites, proposals of operating pre-primary or kindergarten will only be considered if they have exceptional merits and approval for such operation will be considered on a case-by-case basis. The proposed school are not expected to provide boarding facilities nor be deployed as decanting premises;
 - (d) apart from an interest-free loan which may be provided by the Government upon application to the school operator allocated with the site through signing a Private Treaty Grant with the Government for re-

construction of a school building thereon^{1&2}, the Government will not provide any recurrent or capital financial assistance. The school operator shall operate on a self-financing basis with proof of sufficient financial support for necessary capital works. The loan, which is capped at 100% of the cost for constructing a standard-design public sector school accommodating the same number of students³, is subject to approval from Legislative Council Finance Committee. The loan would only be provided by application, and be granted and drawn after completion of the school re-construction⁴;

- (e) the applicant should undertake to carry out all the necessary technical assessments and measures at its own cost in connection with the use of the site;
- (f) the school operators shall set aside a sum, which shall not be less than 10% of the annual total school fee income of the new international school/campus, for providing scholarship and/or other financial assistance for deserving students;
- (g) both the school to be operated at the vacant school premises and/or school site and its school sponsoring body are required to be exempted from tax under section 88 of the Inland Revenue Ordinance (Chapter 112 of the Laws of Hong Kong). The concerned school sponsoring body and the new campus should also be incorporated under the prevailing Companies Ordinance (Chapter 32 or Chapter 622 with effect from 3 March 2014, as appropriate) or incorporated under other ordinances; and
- (h) the school operator shall make available buildings and facilities of the premises when required to the Government and to the community for

¹ According to the successful applicant's development preference and subject to the Government's discretion, the premises/sites may be granted to the successful applicant by way of either allocation options below –

- (I) Tenancy: the entire site, including all existing buildings, structures, etc., may be let to the successful applicant by way of direct grant and executing a tenancy agreement with the Government; whilst the successful applicant may renovate but not demolish all or any part of the premises; or
- (II) Private Treaty Grant: the entire site, including all existing buildings, structures, etc., may be granted to the successful applicant by way of private treaty and executing a Conditions of Grant with the Government, if the successful applicant proposes to demolish existing structures and re-construct a new school building on the site.

However, each successful applicant will only be allocated one of the premises/sites.

² No Government loan will be granted for allocation by way of signing tenancy agreements (i.e. (I) in the footnote above).

³ Amount of the loan (if approved) will NOT cover the cost for demolition of the existing school building.

⁴ 'Completion' refers to the successful acquisition of a valid Occupation Permit issued by the Buildings Authority.

educational, community or other activities, provided that this would not compromise the day-to-day operation of the proposed school and safety of students.

- (2) No matter the option of allocation (as set out in footnote 1 above), requirements applicable to the proposed school shall be enforced by a 10-year Service Agreement, to be renewable, between the Government and the school operator. The school operator allocated with the site by way of private treaty shall submit an application to the Lands Department for the grant of the school site by private treaty grant which similarly sets out the terms and conditions in relation to the use of the school site. The private treaty grant will be co-terminus with the Service Agreement. The school operator allocated with the premises by way of tenancy would have to execute a tenancy agreement with the Government, which is also co-terminus with the Service Agreement.

Completing the reply form

- (3) Respondents should de facto be the school sponsoring bodies/operators of the school to be operated at the vacant school premises/school site upon successful allocation, although alternative arrangements are allowed (such as setting up a separate legal entity for the operation of the new school).
- (4) Respondents should respond to all parts at the reply form, except for part (10), under which the provision of additional information is optional. Only duly completed reply forms will be processed. Incomplete reply forms will not be accepted.
- (5) Responses to the reply form should be indicated by a tick (✓) in one of the boxes. No more than one tick should be placed in the same part unless otherwise stated. Please delete as appropriate when an asterisk (*) appears.
- (6) Respondents should complete the reply form with due care and consideration. They should be prepared to explain any substantive differences between the information provided at the reply form and the detailed proposal to be submitted at the stage of the School Allocation Exercise.
- (7) Respondents should make reference to the following notes when responding to questions indicated with a box

Note X

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Note 1 : Respondents may indicate interest in more than one premises/sites. Please indicate the order of priority with numbers (up to 2) with “1” being the premises or site most interested in. As the premises/sites may be granted to the school operator by way of either allocation options: (I) by a Tenancy Agreement without demolition of the existing building; or (II) by a Private Treaty Grant with the requirement of demolition of the existing structures and re-construction of a new school building on the site, respondents are required to consider their preferred allocation option. Generally speaking, Option (I) above will normally entail lower initial capital expenditure and the school/new campus may commence operation earlier (i.e. upon completion of renovation works). That said, respondents are requested to note that both school premises are buildings aged over 40 and assess the long-term maintenance costs of the school building. Applicants invited to submit detailed school proposals in the next stage of this exercise may revise their allocation option upon conducting site visit(s) to be arranged by the Government.

Note 2 : If more than one curriculum will be offered, please indicate under “others”. Please include the respective accreditation bodies of the curriculum indicated. Respondents should be prepared to provide, at the stage of the School Allocation Exercise, sufficient information on the curriculum strategy, including relevant demographic evidence to establish that an unmet demand for relevant curriculum exists in Hong Kong, as well as documentary proof(s) that they are able to run the curriculum they pledged.

Note 3 : Information provided in (3) should correspond to the applicant’s preferred option of allocation of the premises/site. Respondent should specify in which school year the school/new campus is targeted to commence operation at the allocated premises/site and the estimated number of places to be delivered in the first and third year of operation. Please provide an estimated number of places to be allocated to non-local students (as defined in (1)(a) above).

Note 4 : The measures in this part are to be implemented in addition to the requirement of allocating no less than 70% of the school places to non-local students (as defined in (1)(a) above). Respondents may consider implementing more than one measure.

Note 5 : International schools are operated on a self-financing basis. Successful applicants are expected to fund all capital works,

including carrying out necessary assessment, including but not limited to traffic impact assessment and environmental review, at its own cost in connection with the use of the vacant school premises/school site. No recurrent subsidy shall be provided by the Government. The premises/site should not be mortgaged to other parties. The successful applicant will normally enjoy nominal rent for premises and exemption of rates. The successful applicant will also be required to provide documentary proof(s) of their financial position at the stage of the School Allocation Exercise.

Note 6 : Respondents should demonstrate proven experience in providing education services at primary and/or secondary levels particularly those offering non-local curriculum in Hong Kong or overseas.

Note 7 : Respondents will not be considered adversely if the requirement has not been met at this stage. However, when submitting detailed proposal at the stage of the School Allocation Exercise, applicants should provide documentary proof(s) showing that they have fulfilled the requirements or have applied with relevant government departments for acquiring the necessary status. The allocation of vacant school premises/school sites is conditional upon, amongst others, the presentation of documentary proof(s) of the tax exemption status. Successful applicant should confirm the status with this Bureau annually.

Note 8 : Respondents will not be considered adversely if the requirement has not been met at this stage. When submission of detailed proposal is called for at the stage of the School Allocation Exercise, applicants will be required to provide documentary proof(s) showing that they have fulfilled the requirements or have applied with relevant government departments for acquiring the necessary status when submitting detailed proposal at the stage of the School Allocation Exercise. Moreover, the concerned Memorandum/Memoranda and Articles of Association (or Articles of Association) should contain all standard clauses and articles required for allocation of a vacant school premises/school site (in the case of incorporation under the Companies Ordinance) or their constitutions satisfying the Permanent Secretary for Education as being fit to be considered for the allocation of the vacant school premises/school site. The standard clauses and articles are available at: <http://www.edb.gov.hk/en/sch-admin/sch-premises-info/allocation-of-sch/eligibility.html>. The allocation of the premises/site is conditional upon, amongst others, the presentation

of documentary proof(s) of the necessary incorporation status of both the school sponsoring body as well as the new campus.

Note 9 : If respondents have in-principle support from Consulate General(s) and/or Chamber(s) of Commerce, please state so in the reply form. Letters of recommendation from the Consulate General(s) and/or Chamber(s) of Commerce indicating support for the proposed school and their form of participation, if any, in the operation of the school/new campus will be required at the stage of the School Allocation Exercise. Letters of recommendation from organisations other than Consulate General(s) and Chamber(s) of Commerce shall not be considered as fulfilling this requirement.

Note 10 :The contact person should be capable and available for responding to any follow-up enquiries or clarifications throughout the expression of interest exercise. If the respondent wishes to access or make correction to the personal data provided in this expression of interest exercise, please contact Mr Brian MOK, Senior Executive Officer (Infrastructure, International School and Statistics)1 at (852) 3509 8391.

(8) Respondents should read and note the Personal Information Collection Statement at **Appendix**.

(9) The completed reply form should be returned by email (at email address: iissd@edb.gov.hk) by **5:00 p.m. (Hong Kong Time) on 21 February 2024**, or by post (6/F, East Wing, Central Government Offices, 2 Tim Mei Avenue, Tamar, Hong Kong). For reply forms submitted by post, the date on the postmark should not be later than the deadline. Reply forms received after the deadline or incomplete forms will not be accepted.

School Allocation Exercise

(10) Subject to the response to this exercise and other relevant factors, a School Allocation Exercise may be launched. In such event, respondents whose reply forms showing that they meet the basic requirements during the stage of the expression of interest will be invited to submit detailed proposals in respect of the vacant school premises/school sites under the School Allocation Exercise. Expression of interest through means other than the reply form will not be considered.

(11) Detailed proposals will be considered by the School Allocation Committee, which comprises government officials and non-officials. In assessing the applications, quality of education is the prime consideration. The detailed proposals should cover information of the proposed school and/or the new campus in the following aspects and supporting documentary proof(s) will be requested when submitting the proposals –

- (a) Vision and mission;
- (b) Management and organisation;
- (c) Learning and teaching;
- (d) Student support;
- (e) Student mix and admission policy;
- (f) Financial plan and fee policy;
- (g) Quality assurance; and
- (h) Meeting the needs of the community.

Details will be announced at the stage of the School Allocation Exercise.

(12) Site visit(s) to the premises/sites may be arranged at the stage of the School Allocation Exercise.

Enquiries

(13) Enquiries may be directed to Mr. Brian Mok at (852)3509 8391 or iissd@edb.gov.hk.

**Education Bureau
December 2023**

**First School Allocation Exercise 2023 –
Expression of Interest for Vacant School Premises/School Sites
for International School Development
Personal Information Collection Statement**

Purpose of Collection

1. The personal data provided by you in the reply form will be used by the Education Bureau (EDB) for one or more of the following purposes:

- (a) Activities relating to the processing, authentication and counter-checking of the application for allocation of vacant school premises/school sites under School Allocation Exercise;
- (b) Activities relating to matching of the personal data with the database of other relevant Government bureaux/departments in connection with the processing, authentication and counter-checking of the application mentioned in (a) above;
- (c) Activities relating to matching of the personal data within the database of EDB for purposes of verifying/updating records of the EDB;
- (d) Activities relating to training and development including invitation of participation in programmes/activities, applications for reimbursement of course fees, assessment of nominations, awards and scholarship, and monitoring of attainment progress;
- (e) Activities relating to the processing and vetting of applications for, and disbursement of, funding/grants/subsidies, and conducting of audits;
- (f) Activities relating to compilation of statistics, research and Government publications; and
- (g) Activities relating to the administration and enforcement of rules and regulations including the Education Ordinance (Cap. 279), its subsidiary legislation (such as the Education Regulations and the Grant/Subsidized Schools Provident Fund Rules) and the Codes of Aid.

2. The provision of personal data required by the reply form and during the processing of the reply form is obligatory. In the event that you do not provide those personal data, we may not be able to handle or further process the application.

Classes of Transferees

3. The personal data you provide will be made available to persons working in EDB. Apart from this, they may be transferred or disclosed to the parties or in the circumstances listed below:-

- (a) other Government bureau and departments for the purposes mentioned in paragraph 1 above;
- (b) the school in which the form relates for the purposes mentioned in paragraph 1 above;
- (c) where you have given your prescribed consent to such disclosure; and
- (d) where such disclosure is authorised or required under the law or court order applicable to Hong Kong.

Access to Personal Data

4. You have the right to request access to and correction of your personal data held by EDB. Request for access or correction of personal data should be made in writing to Senior Executive Officer (Infrastructure, International School & Statistics)1 at 6/F, East Wing, Central Government Offices, 2 Tim Mei Avenue, Tamar, Hong Kong or email to iissd@edb.gov.hk.