

Funding Scheme to Support the Use of Vacant Government Sites by Non-government Organisations

Guide to Application

Table of Contents

	<u>Page</u>
I. INTRODUCTION	
1.1 Objective	3
II. APPLICATION	
2.1 Eligibility	4
2.2 Application Procedures	5
2.3 Methods of Submission of Application	6
2.4 Notification of Results	6
2.5 Withdrawal	6
2.6 Assistance to Applicants during the Application Process	6
III. ASSESSMENT OF PROJECT PROPOSALS	
3.1 Inter-departmental Assessment Committee	8
3.2 Assessment Criteria	8
IV. FINANCIAL SUPPORT	
4.1 Scope of Financial Support	9
4.2 Sources of Other Financial Support	10
V. TECHNICAL SUPPORT	11
VI. ADMINISTRATIVE AND FINANCIAL ARRANGEMENTS	12
VII. MONITORING MECHANISM	
7.1 Project Management	13
7.2 Upkeep of Sites/School Premises	13
7.3 Progress Review Meetings	13
7.4 Termination of Project	13
VIII. NOTES ON PERSONAL DATA	
8.1 Purposes of Collection	
8.2 Classes of Transferees	14
8.3 Access to Personal Data	14
8.4 Enquiries	14
IX. OTHERS	
Annex	15

Note:

The contents of this Guide to Application will be reviewed and updated from time to time. Subsequent revisions will be promulgated via Development Bureau's website (https://www.devb.gov.hk/en/issues_in_focus/Funding_Scheme_to_Support_the_Use_of_Vacant_Government_Sites_by_Non_government_Organisations/index.html).

**Development Bureau
September 2020**

I. INTRODUCTION

1.1 Objective

- 1.1.1 At present, vacant government sites or school premises managed by Lands Department (“LandsD”) or other relevant authorities are available for use by non-government organisations (“NGOs”) through short-term tenancies (“STTs”). However, since these sites may have been left idle for some time, restoration or other engineering works are required before they can be put to use. To optimise the use of these sites, this Funding Scheme (“the Funding Scheme”) is set up, with \$1 billion earmarked by Financial Secretary in 2018-19 Budget and approved by the Finance Committee of the Legislative Council, to provide NGOs with financial and technical support to make such vacant sites/school premises on government land fit for a variety of short-term community, institutional, or other non-profit making uses.

II. APPLICATION

2.1 Eligibility

- 2.1.1 The applicant should be an NGO which has already secured in-principle approval from LandsD or other relevant authorities under the existing mechanism¹ for renting a vacant government site or school premises on a short-term basis.
- 2.1.2 The applicant should meet the following requirement –
- (a) it should be a charitable institution or trust of a public character exempt from tax under section 88 of the Inland Revenue Ordinance (Cap. 112); or a company incorporated under the Companies Ordinance (Cap. 622) or the former Companies Ordinance (Cap. 32) as limited by guarantee whose objects and powers do not include distribution of profits to members; or a non-profit-making society registered or body established under any legislation in Hong Kong; or
 - (b) it should take the form of a social enterprise, which should be –
 - (i) an institution listed under the “Social Enterprise Directory” compiled by the Social Enterprise Business Centre (<https://socialenterprise.org.hk/en/sedb>); or
 - (ii) a social enterprise accredited by the Hong Kong General Chamber of Social Enterprises (http://seemark.hk/en_gb/).
- 2.1.3 For the avoidance of doubt, the Funding Scheme is open to application from NGOs which have secured approval or at least in-principle approval for the grant of STT on or after the announcement of this initiative in the 2018-19 Budget on 28 February 2018 for the use of vacant government sites (including vacant school premises on government land) and where works have yet to commence.
- 2.1.4 When there is any doubt about the eligibility of an NGO-applicant, the decision of the inter-departmental Assessment Committee (“the Assessment Committee”) is final.

¹ The list of vacant government sites (including vacant school premises on government land) managed by LandsD and available for temporary uses by way of STT, and the application guidelines and procedures are available on LandsD’s website (<https://www.landsd.gov.hk/en/vgl/vgl.htm>). In addition, the list of surplus government accommodation available for leasing applications by NGOs and details about the application procedures are available on Government Property Agency’s website (<https://www.gpa.gov.hk/english/let/let.html#SGA>).

2.2 Application Procedures

- 2.2.1 The Funding Scheme is open for application all year round, subject to the availability of fund under the Funding Scheme.
- 2.2.2 Applications should be made on the Application Form and conform to all the terms and conditions set out in this Guide to Application. The Application Form and the Guide to Application can be downloaded from Development Bureau's website (https://www.devb.gov.hk/en/issues_in_focus/Funding_Scheme_to_Support_the_Use_of_Vacant_Government_Sites_by_Non_government_Organisations/index.html).
- 2.2.3 The applicant must appoint a Project Co-ordinator, who shall be responsible for handling all matters related to the application, and if approved, overseeing the implementation of the project, monitoring the proper use of the funds approved, liaising with the Secretariat ("the Secretariat") of the Assessment Committee, and reporting on progress of the project.
- 2.2.4 Applications will be processed by the Secretariat of the Assessment Committee responsible for vetting applications and overseeing the implementation of the Funding Scheme.
- 2.2.5 The Secretariat reserves the right to seek additional information from applicants whenever necessary. Applicants shall provide clarifications, information and documents requested by the Secretariat from time to time for processing the application. Should applicants fail to reply to any queries within the timeframe required by the Assessment Committee, the applications would be considered as being withdrawn and would not be processed further.
- 2.2.6 For the purposes of processing applications, applicants may also be required to attend meeting(s) to answer questions from the Assessment Committee. Should applicants fail to attend such meeting(s), the applications would be considered as being withdrawn and would not be processed further.
- 2.2.7 The Assessment Committee will assess applications on the basis of the proposals contained in the Application Form and all additional information provided by applicants. The Assessment Committee may approve funding for selected applicants to engage consultants to carry out studies, assessments, surveys and investigations as necessary to complete the scope of services specified in the Application Form, detailed design of the proposed works, as well as tender exercises and contract administration for the proposed works. In this case, we would require the applicants to update the estimated project costs when submitting the detailed technical information for Assessment Committee's approval.
- 2.2.8 A successful applicant will be required to sign a Funding Agreement with the Government of the Hong Kong Special Administrative Region ("Government")

and is solely responsible for all obligations under the Funding Agreement. It is also required to approach LandsD or other relevant departments as appropriate for entering into a STT to take over the project site for carrying out the renovation works.

2.3 Methods of Submission of Application

2.3.1 The following documents should be submitted *by post* or *in person* to *Principal Assistant Secretary (Planning and Lands) 7, Development Bureau (Planning and Lands Branch), 6/F, West Wing, Central Government Offices, 2 Tim Mei Avenue, Tamar, Hong Kong* –

- (a) the original duly completed Application Form;
- (b) a copy of an approval-in-principle letter issued by LandsD or a relevant authority for renting a vacant government site or school premises on a short-term basis (please refer to paragraph 2.1.1 above);
- (c) copies of relevant registration documents (please refer to paragraph 2.1.2 above); and
- (d) supporting documents on the application in connection with financial information, management capability and other matters, if any.

2.3.2 If an applicant fails to fill in the information required in the Application Form and/or submit related documents, the application will not be processed.

2.3.3 All submitted documents and materials will not be returned to applicants regardless of the results of the applications.

2.4 Notification of Results

2.4.1 Applicants will be notified of the results of the applications, including the exact amount of funding approved, after the Assessment Committee has completed its assessment. Depending on the complexity of each application, we expect that the applicants would be notified of the results within six months after submission of a complete application.

2.5 Withdrawal

2.5.1 Applicants may write to the Secretariat to withdraw their applications at any time during the assessment process.

2.6 Assistance to Applicants during the Application Process

2.6.1 Applicants may contact the Secretariat for enquiries –

Address : Planning Unit
Planning Division
Development Bureau (Planning and Lands Branch)
6/F, West Wing, Central Government Offices
2 Tim Mei Avenue, Tamar, Hong Kong

Email : plbenq@devb.gov.hk

Phone : 3509 7785

Fax : 3427 9913

III. ASSESSMENT OF PROJECT PROPOSALS

3.1 Inter-departmental Assessment Committee

- 3.1.1 The Assessment Committee is chaired by Deputy Secretary for Development (Planning and Lands) and composed of members from relevant government bureaux/departments. It is supported by the Secretariat at Development Bureau in administering the Funding Scheme.
- 3.1.2 For the purpose of assessing their applications, applicants may be invited to present their proposals at the Assessment Committee meeting(s).

3.2 Assessment Criteria

- 3.2.1 As an eligible applicant should have already secured in-principle approval for renting a vacant government site or school premises on a short-term basis from LandsD or other relevant authorities (please see paragraph 2.1.1) before making an application under the Funding Scheme, the Assessment Committee will focus on the technical aspect of the proposed projects. The Assessment Committee will examine and assess the applications according to the following key criteria –
- (a) the proposed works should be one-off, basic and essential to make the site/school premises fit for use;
 - (b) the proposed works should be cost-effective;
 - (c) the proposed works should be technically feasible;
 - (d) the proposed works should be completed within a reasonable timeframe; and
 - (e) the applicant should be capable of implementing works project (e.g. the applicant's management and technical capabilities, expertise, qualifications, track record, and resources available for implementing the proposed works).

IV. FINANCIAL SUPPORT

4.1 Scope of Financial Support

- 4.1.1 Government does not guarantee that the full amount applied for will be approved. In accepting the funds approved, applicants may need to find additional resources to ensure that the proposed project can be implemented.
- 4.1.2 The funds approved and provided under the Funding Scheme must be exclusively used for the project in accordance with the terms and conditions of the Funding Agreement, except otherwise approved by Government.
- 4.1.3 Government reserves the right to suspend the disbursement of or reduce the approved funding subsidy for the project if the applicant has used the approved funds or any part thereof for any purpose other than that specified in paragraph 4.1.2 above.
- 4.1.4 The maximum amount of the funding subsidy to be granted to each approved project is **HK\$60 million**.
- 4.1.5 The funds provided should be used to cover the following items of the approved projects –
- (a) consultancy services such as –
- feasibility studies on the proposed restoration and repair works, or investigation or site survey for preparing the detailed design;
 - detailed architectural, structural, geotechnical, building services, environmental, lighting, etc.;
 - submission of specified plans to Buildings Department, Fire Services Department, etc.; and
 - quantity surveying services, including tender documentation, cost control and account preparation;
- (b) one-off, basic and essential restoration and repair works required to make the site/school premises fit for the proposed use and to comply with statutory requirements (for examples of such requirements, please see Annex) such as –
- slope upgrading works;
 - site formation;
 - renovation of dilapidated premises;
 - erection of temporary structures (such as the use of modular integrated construction methods);
 - provision of sewerage/drainage; and

- installation of fire safety equipment and barrier-free facilities;
- (c) insurance policies covering any potential claims that may arise during surveys, investigations and renovation works;
- (d) remuneration of resident site staff; and
- (e) external audit fees relating to the approved project.

4.1.6 The approved funding subsidy is ***not*** to cover the following items –

- (a) interior fitting-out;
- (b) furniture and equipment; and
- (c) all other operating or recurrent expense to be incurred in the short-term use on the vacant sites in question, e.g. rental, utility charges, repair and maintenance cost, etc.

4.1.7 The lists in paragraphs 4.1.5 and 4.1.6 are not exhaustive. Applicants should consult the Secretariat if there is any doubt about whether an item is under the scope of the financial support.

4.1.8 Any unused funding approved must be returned to Government.

4.2 Sources of Other Financial Support

4.2.1 The applicant may receive funding from other sources (such as funding from the applicant/parent organisation, third party sponsorship, funding schemes operated by other government bureaux/departments, etc.) for the proposed project. The applicant is required to list in the Application Form any government/non-government sponsorships and/or donations that it will or may be able to secure.

4.2.2 The applicant shall not accept sponsorships, donations or advertisement from, nor be in association in any form or manner with –

- (a) any person in tobacco or tobacco-related industry; or
- (b) for events specifically aimed at young people under 18, any person in the alcohol industry.

4.2.3 The applicant shall not accept any sponsorships, donations or advertisements which, in the opinion of Government, may jeopardise the image or reputation of Government.

V. TECHNICAL SUPPORT

- 5.1 The restoration and repair works on the vacant sites/school premises should essentially be executed by consultants, professionals or contractors engaged by successful applicants upon approval of the funding applications and in accordance with procurement arrangements that are open and fair.
- 5.2 In view of the technical constraints inherent in some of the vacant sites, the Secretariat may –
- (a) refer applicant's enquiries in specific areas (e.g. compliance with the Buildings Ordinance (Cap. 123) and licensing requirements, etc.) to the appropriate departments for advice, and consolidate and co-ordinate technical advice sourced from different departments during assessment, to assist the applicant in taking forward the approved projects as soon as possible; and
 - (b) invite the applicant to collaborate with members nominated by professional institutes in specific disciplines to identify or resolve technical issues particularly at the initial stage of the project.
- 5.3 The responsibility to make statutory applications for permits, licences or approvals about the site, the proposed use and the operation of the facility rests with the applicants. They must assume the role of a works agent and ultimately be responsible for the timely delivery of the works from inception to completion of construction in accordance with the approved project estimate.

VI. ADMINISTRATIVE AND FINANCIAL ARRANGEMENTS

- 6.1.1 Apart from the STT agreement governing the letting of the vacant government sites or school premises, successful applicants will be required to sign a separate Funding Agreement with Government in respect of the implementation of the approved works on the relevant sites/school premises and comply with all the terms and conditions of the Funding Agreement, this Guide to Application, and the instructions and correspondence issued by Government from time to time in respect of the project (if any).
- 6.1.2 The Funding Agreement will contain the complete terms and conditions of the approved funding subsidy. There will be detailed requirements concerning engagement of consultants and contractors, procurement, payment and disbursement arrangements for the approved funding, insurance policies, record keeping and reporting, project management, and other financial matters to ensure that the use of the approved funding subsidy would be in line with the principles of integrity, economy, efficiency and effectiveness.

VII. MONITORING MECHANISM

7.1 Project Management

- 7.1.1 Apart from paragraphs 6.1.1 and 6.1.2 above, applicants should follow other guidelines and procedures as advised by Government from time to time.

7.2 Upkeep of Sites/School Premises

- 7.2.1 The applicants are required to permit Government and all persons authorised by Government to enter the sites/school premises and slopes within or adjoining the sites/school premises to see their state and condition, conduct inspection, etc.
- 7.2.2 Upon completion of the renovation works, the applicant should arrange inspections with relevant statutory authorities, government departments, etc. for the issue of Occupation Permit (or a letter of acknowledgement in the case of completion of alteration and addition Works), Fire Services Certificates and other licenses/permits required for the operation of the proposed use on the sites/premises. The applicant should provide the originals or copies where appropriate of the above to the Secretariat.

7.3 Progress Review Meetings

- 7.3.1 Progress review meetings may be organised to examine the progress of project implementation and documents kept in respect of the project. Applicants will be required to attend such meetings.

7.4 Termination of Project

- 7.4.1 Prior written approval from Government is required for premature termination of the project for any reason before the expiry of the Funding Agreement.
- 7.4.2 Government reserves the right to suspend the disbursement of funding and cease a project in case of unsatisfactory project progress or contravention of the funding guidelines or agreement, and require the refund of the amounts already disbursed for a curtailed project.

VIII. NOTES ON PERSONAL DATA

8.1 Purposes of Collection

8.1.1 The personal data provided as part of the application will be used by Government to process all applications and other relevant arrangements. The provision of personal data by means of an application is voluntary.

8.2 Classes of Transferees

8.2.1 The personal data provided by means of an application to Government may be disclosed to other government bureaux, departments or authorised organisations for the purposes mentioned in paragraph 8.1.1.

8.3 Access to Personal Data

8.3.1 Applicants have a right of access and correction with respect to personal data as provided for in Sections 18 and 22 and Principle 6 of Schedule 1 of the Personal Data (Privacy) Ordinance (Cap. 486). Their right of access includes the right to obtain a copy of the personal data provided in their applications. Applicants are also entitled to make request for correction of the personal data.

8.4 Enquiries

8.4.1 Enquiries concerning the personal data collected under the Funding Scheme should be addressed to the Secretariat indicated in paragraph 2.6.1 above.

- End -

**Examples of Statutory Requirements
to be complied with^{Note}**

Buildings Ordinance

- Means of Escape
- Rescue Access (emergency vehicular access and fireman's lift)
- Fire Resisting Construction (protection of staircase(s), compartmentation)
- Barrier Free Facilities (access, ramp, toilet & lift)
- Structure (additional load, strengthening the capacity of existing structure, structural alteration works)
- Site formation and modification of existing slopes

Fire Services Requirements

- Fire service installation using water such as sprinkler, fire hydrant, hose reel, street fire hydrant, improvised sprinkler, new water supply tank etc.
- Electrical fire service installation such as fire alarm, fire detection, emergency lighting, exit sign, audio/visual advisory, close circuit television, fire service direct link, etc.
- New emergency generator for fire service installation
- Miscellaneous fire service installation such as portable appliances, automatic actuating devices, ventilation/air-conditioning control, automatic fixed installation not using water, etc.
- Special fire service installation such as smoke extraction system, pressurisation of staircase, gas extraction system, etc.
- Fire retarding material for licensed premises

Building Services Requirements

- Electrical installation including lighting, low voltage cubicle switchboard and lightning protection
- Mechanical ventilation installation
- Plumbing and drainage installation including provision of water tank and septic tank
- Supply and discharge connections for utilities and services including electricity,

^{Note} The examples set out are not exhaustive. Applicants may consult the Secretariat if there is any doubt.

gas, telecommunication, fresh water, salt water, storm water drainage, foul water drainage, etc.

- Miscellaneous building services installations such as gas installation, specialist building services equipment, etc.