



中華人民共和國香港特別行政區政府總部教育局
Education Bureau
Government Secretariat, The Government of the Hong Kong Special Administrative Region
The People's Republic of China

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NET Administration Team
SA & NET Administration Section
Education Bureau
Room 1321, 13/F, Wu Chung House
213 Queen's Road East
Wan Chai, Hong Kong

31 December 2009

Dear School Supervisor/ School Head,

**Extension of Service of Native-speaking English Teachers (NETs)
Beyond the Retirement Age in Aided Schools**

I would like to inform you of the details relating to the applications for extension of service of NETs beyond the retirement age in aided schools. This letter shall also be presented to the NETs concerned.

2. The Education Ordinance stipulates that,
 - (a) a person shall not be employed as a teacher of an aided school if he/she would be aged 60 years or more at the commencement of such employment; and
 - (b) a person employed as a teacher of an aided school shall not continue to be so employed for a school year or any part thereof if he/she has attained the age of 60 years or more before the commencement of the school year, except in accordance with the written permission of the Permanent Secretary for Education (Permanent Secretary). The maximum aggregate for which permission may be given shall be five consecutive school years.
3. The provisions in paragraph 2 (a) and (b) above do not apply under the following circumstances –
 - (a) an aided school may employ a person aged 60 years or more as a temporary replacement of a teacher for any period during which that teacher is unable for any reason to perform his/her duties as a teacher of the school; or
 - (b) the person fills a post that is not within the teaching staff establishment of the school approved by the Permanent Secretary from time to time.

4. The NETs are part of the teaching staff establishment. Under the retirement policy and in accordance with the legislation, the NETs of aided schools would normally retire at the end of the school year in which they reach the age of 60. According to Education Bureau Circular Memorandum No. 155/2009, applications for extension of service of teachers (including NETs) normally will not be granted except under very special circumstances. As such, extension of service should only be seen as an exception rather than the rule and the Permanent Secretary for Education may refuse to give permission for the extension of service for teachers, including NETs. Before permission is given by the Permanent Secretary, the School Management Committee (SMC)/Incorporated Management Committee (IMC) has to satisfy the Permanent Secretary that it cannot find a replacement for the incumbent NET after making every reasonable effort.

5. The SMC/IMC, in anticipation of the normal turnover of staff due to retirement or other reasons, should plan ahead for succession to ensure that the overall interests of the school would not be affected. The need to retain the service of the incumbent NET, who is due to retire, is to be critically assessed and confirmed by the SMC/IMC.

6. Schools should provide strong justifications and documentary proof to support their applications. In addition to confirming that the school cannot find a replacement for the incumbent after making every reasonable effort, the SMC/IMC should also prove that the NET's performance is satisfactory and must submit relevant documents relating to the NET's performance to the Permanent Secretary for consideration. In considering applications from schools, the Education Bureau will consider a range of factors including the performance of the NETs concerned, their past contributions to schools and the availability of suitable candidates for the NET posts.

7. Supervisors who wish to recommend their NETs for extension of service, despite their having reached the retirement age, in the 2010/2011 school year should send their applications together with all supporting documents to the NET Administration Team **on or before 12 February 2010**.

8. Please contact Mr. TW CHENG at 2892 6525 or Mr. Royce WONG at 2892 6495 in case you have any further enquiries.

Yours sincerely,



(Andy LOK)

for Permanent Secretary for Education