



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

本局檔號 Our Ref. : (2) to EDB(NETADM)/NET/11/1/1(1)

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

30 November 2011

Dear School Supervisor/School Head,

**Extension of Service of Native-speaking English Teachers (NETs)
Beyond the Retirement Age in Aided Secondary/Primary Schools
in the 2012/13 School Year**

I would like to inform you of the details relating to the applications for extension of service of the NETs under the Enhanced NET Scheme in Secondary Schools and the NET Scheme in Primary Schools beyond the retirement age. 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. 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. It is the responsibility of the School Management Committee (SMC) / Incorporated Management Committee (IMC) to ensure that the above provision on retirement age is followed. As a good practice on human resources management, 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. As stipulated in the Education Bureau Circular Memorandum No. 159/2011 dated 17 October 2011, applications for extension of service of teachers (including NETs) normally will not be granted except under very special circumstances. As such, extension of service for teachers, including NETs should only be seen as an exception rather than the rule. Before permission is given by the Permanent Secretary, the SMC / IMC has to satisfy the Permanent Secretary that it cannot find a replacement for the incumbent 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. In the event that an application for extension of service is considered absolutely necessary, the SMC / IMC has the responsibility to justify the need and support its application to the Permanent Secretary with documentary evidence. In addition to confirming that the school cannot find a suitable replacement for the incumbent after making every reasonable effort, the SMC / IMC should also prove that there is a genuine need for an application for extension / further extension of service of the NET beyond the retirement age in the 2012/13 school year. In considering applications from schools, the Education Bureau will consider a range of factors including the performance of the NETs concerned, their contributions to schools, the availability of suitable candidates for the NET posts and the incumbent's physical fitness as a teacher.

7. Schools are to note that this circular letter is intended for NETs who will be:

- (i) 60 or above at the commencement of the 2012/13 school year; and
- (ii) 59 at the commencement of the 2012/13 school year and will turn 60 before the commencement of the 2013/14 school year if they wish to renew a two-year contract with their school in the coming school year.

8. Supervisors who wish to apply for either an extension of service in the 2012/13 school year for their NETs who are under category (i) in paragraph 7, or an **approval in advance** for extension of service for their NETs under category (ii) in paragraph 7, should send the completed proforma at the Appendix together with supporting documents to the NET Administration Team **on or before 12 January 2012**. Schools will be notified of the results of the applications in writing in due course.

9. For enquiry related to extension of service of NETs beyond the retirement age in aided schools, please contact Mr. Royce WONG (Tel. 2892 6495) or the undersigned (Tel: 2892 6525).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'A. Cheng', written in a cursive style.

(Ms A. CHENG)

for Permanent Secretary for Education

