

## Education Bureau Circular Memorandum No. 37/2021

From : Permanent Secretary for Education To : Supervisors/Heads of all aided secondary schools, caput schools, special schools with a secondary section

Ref. : (24) in EDB(NETADM)/SNET/1/3/1(3)

Date : 31 March 2021

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### Enhanced Native-speaking English Teacher (NET) Scheme in Secondary Schools

#### Appointment and Re-appointment of NETs in the 2021/22 School Year

##### Summary

This is to inform schools and NETs currently employed under the Enhanced NET Scheme in Secondary Schools about appointment and re-appointment of NETs in the 2021/22 school year. **Schools are requested to bring this circular memorandum to the attention of their NETs.** This circular memorandum supersedes Education Bureau (EDB) Circular Memorandum No. 39/2020 on the same subject.

##### Details

##### *Appointment and Re-appointment of NETs*

2. Schools and their serving NETs with contracts due to expire at the end of the 2020/21 school year are requested to discuss and reach an initial agreement as to whether they wish to have their contracts renewed for another two years. Early discussion on contract renewal matters would enable NETs to make their own future plans and schools to arrange for recruitment or staff deployment. **All schools are requested to return the completed Form A** on “Reply Proforma on Appointment of NETs” to the EDB as detailed in **paragraph 16** to facilitate our planning for the recruitment of NETs.

3. Schools may opt to recruit new NETs directly on their own or entrust the EDB with the recruitment of NETs on their behalf. In handling the recruitment and appointment of NETs, schools are required to comply with the Employment Ordinance, Education Ordinance, Education Regulations, other relevant legislations as well as guidelines issued by the EDB from time to time. Schools are reminded to take note of the relevant requirements stipulated in [EDB Circular No. 5/2005](#) and the [School Administration Guide](#). **Schools opting to recruit their NETs directly should ensure that the qualifications of NETs meet the requirements for appointment of NETs in secondary schools as set out in the Appendix.** Besides, assessment of non-local qualifications of NETs should be arranged by schools in accordance with [EDB Circular No. 1/2005](#) before offering appointments. **Schools recruiting NETs directly are requested to return the completed Form C** on “Personal Particulars of NETs Recruited Directly by Schools” to the EDB as detailed in **paragraph 16**.

4. Schools are reminded that, since the 2009/10 school year, NETs who have not served under the NET Scheme (NET Scheme in Primary Schools/Enhanced NET Scheme in Secondary Schools) before or with a break in service are required to produce documentary

evidence of their having/not having been found guilty of criminal offence [e.g. Certificate of No Criminal Conviction (CNCC)] from the countries/cities where they have resided before they take up an appointment as a NET in Hong Kong. Eligible candidates who are not able to obtain the above-mentioned CNCC since they have been residing in Hong Kong are required to obtain a certificate of statutory declaration from one of the District Offices of the Home Affairs Department certifying that they have not been found guilty of criminal offence before they could be appointed as NETs. Any NETs who have been found providing false information or withholding information willfully in this respect will be disqualified for employment or liable for termination of employment even though they have already assumed duties in schools.

5. With effect from 1 December 2011, the Hong Kong Police Force has launched the Sexual Conviction Record Check (SCRC) scheme which is applicable to prospective employees seeking child-related work or work relating to mentally incapacitated persons in organisations or enterprises (including the NET posts under the Enhanced NET Scheme in Secondary Schools). Given the importance of protecting our students, schools should request prospective NETs to undergo SCRC at the advanced stage of the employment process. Schools are reminded that the scheme does not cover overseas sexual conviction records and does not apply to staff working in the same school under continuously renewed contracts without a break. Please refer to [EDB Circular Memorandum No. 179/2011](#) for details.

### ***Provision of NETs for Schools***

6. A NET is generally provided for every public sector secondary school (including special schools with a secondary section) implementing a mainstream curriculum. Such provision covers schools for children with intellectual disability (ID schools) implementing an appropriate school-based English Language curriculum as adapted from the English Language Education Key Learning Area Curriculum Guide (Primary 1 – Secondary 6) (2017) prepared by the Curriculum Development Council. For enquiries about the appropriate school-based English Language curriculum in ID schools, please contact the Special Educational Needs Section of the Curriculum Development Institute at 2892 5474.

### ***Retention Incentive***

7. With effect from the 2005/06 school year, the EDB has introduced a retention incentive to provide additional incentive for serving NETs to continue their service in the NET Scheme in Hong Kong. NETs who have served two years of continuous service and are in the **third and fourth years of continuous service OR** who have served four years of continuous service and are in the **fifth year of service onwards**, are eligible to apply for receiving a retention incentive of **5% OR 10% of the current base salary** respectively. Under normal circumstances, NETs have to serve continuously in the NET Scheme in order to be eligible for the retention incentive. The incentive is payable to the NET in each school year subject to the school management's confirmation in the annual appraisal that the performance of the NET has been satisfactory. For further details of the retention incentive, schools should refer to [EDB Circular No. 2/2013](#).

### ***Fringe Benefits for NETs***

8. Schools are reminded that once the NET's normal place of residence is established as being outside Hong Kong and his/her eligibility for the fringe benefits under the NET Scheme is confirmed, he/she should continue to be eligible for the fringe benefits when re-appointed continuously unless there are changes in the NET's personal or family particulars such as change of marital status, permanent resident status and children having reached the age of 18,

etc., which might affect his/her entitlement. All NETs receiving the fringe benefits should report the aforesaid changes to the schools for reassessment of their eligibility for the fringe benefits. Schools are required to remind their NETs of the above requirements and to submit timely applications for the fringe benefits when they report for duty to the schools. For further details of the fringe benefits, schools should refer to [EDB Circular No. 9/2009](#).

### ***Payment of Contract Gratuity***

9. Schools should arrange for the payment of contract gratuity for their NETs the soonest possible upon their satisfactory completion of contract. For details of the payment of contract gratuity and the payment of tax before leaving Hong Kong, schools should refer to [EDB Circular No. 5/2012](#).

### ***Appointment for Serving NETs on Completion of Contract***

10. For serving NETs who have been recruited through the EDB and wish to change to another school on completion of their current contract at the end of the 2020/21 school year, the EDB can offer assistance to them to look for a new appointment. **These NETs are requested to return the completed Form B** on “Application of Serving NETs for New Appointment on Completion of Contract” to the EDB as detailed **in paragraph 16**. They should note that there is no guarantee that they will be offered an appointment at other schools. If they subsequently fail to obtain a new appointment, they would not be able to return to their original schools.

### ***Duties of NETs***

11. NETs should work collaboratively with the English panel in the preparation of teaching materials, curriculum development, organisation of English-related activities and staff development, etc., and act as resource persons for the schools. Schools should carefully review the job description and duty lists of their NETs and make sure that they are gainfully deployed. Please make reference to the Deployment Guidelines issued by the NET Section which are available on the EDB webpage at [www.edb.gov.hk](http://www.edb.gov.hk) → Curriculum Development → Resources and Support → [Native-speaking English Teacher \(NET\) Scheme](#) or seek advice from the Regional NET Coordinating Team at 3549 8339.

### ***Terms and Conditions of Service***

12. The specimen letter of appointment together with the sample memorandum on the terms and conditions of service for appointment as teachers under the Enhanced NET Scheme in Secondary Schools is subject to annual review. A specimen letter of appointment, its accompanying sample memorandum on the terms and conditions of service as well as a sample letter of acceptance are available at the EDB webpage for schools’ reference. In this connection, schools are advised to check for the latest version of the aforesaid documents, which is expected to be available in May 2021, on the EDB webpage before signing a formal contract with their serving/new NETs.

## ***Employment Visa***

13. Before signing a formal contract with NETs coming from abroad, schools are advised to remind them that the offer for employment is conditional upon their having obtained an employment visa allowing them to work for the school as specified in the Letter of Appointment and to stay in Hong Kong for an initial period of at least one year. The visa should be obtained, prior to their arrival in Hong Kong, from the Director of Immigration of the Government of the Hong Kong Special Administrative Region.

14. For NETs who are already working in Hong Kong, the offer of employment is conditional upon their having obtained, prior to the commencement of the contract, an approval from the Director of Immigration of the Government of the Hong Kong Special Administrative Region allowing them to work for the school as specified in the Letter of Appointment and to continue to stay in Hong Kong for at least one year. NETs holding an employment visa for the previous school are still required to seek prior approval from the Immigration Department for change of employment before they report for duty in the new school. In any case, schools should ensure that their NETs have obtained a valid employment visa before reporting for duty.

## ***Teacher Registration***

15. Section 42 of the Education Ordinance stipulates that any person who teaches in a school has to be either a registered teacher (RT) or a permitted teacher (PT). Therefore, schools should ensure that their NETs have undergone the registration formalities in compliance with the law. NETs should apply to be RTs or the schools should apply for the NETs to be PTs prior to their assumption of duties. For enquiries in this regard, please contact the Teacher Registration Team of the EDB at 3467 8281 or 3467 8282.

## ***Forms to Be Completed***

16. School heads are strongly advised to discuss the appointment and re-appointment matters with the NETs before returning the form(s) to the EDB. Schools and the NETs should complete the form(s) where appropriate:

<b>Form A</b>	<b><i>Reply Proforma on Appointment of NETs</i></b> –  To be completed by <b>all</b> eligible aided secondary schools, caput schools and special schools (with a secondary section) under the Enhanced NET Scheme in Secondary Schools in the 2021/22 school year.
<b>Form B</b>	<b><i>Application of Serving NETs for New Appointment on Completion of Contract</i></b> –  To be completed by serving <b>NETs</b> who have been recruited through the EDB recruitment boards and whose contracts will <b>NOT</b> be renewed upon expiry at the end of the 2020/21 school year.
<b>Form C</b>	<b><i>Personal Particulars of NETs Recruited Directly by Schools</i></b> –  To be completed by <b>both</b> the schools and the new NETs recruited by them directly in the 2021/22 school year.

Completed Form A and Form B should be returned to the NET Administration Team by fax at 2123 1239 by **3 May 2021** while completed Form C should be returned to the NET Administration Team by fax within 7 days after a contract is signed between the school and the NET. Schools and NETs should also take note of the “Personal Information Collection Statement” on the last page of this circular memorandum.

## **Enquiries**

17. For enquiries, please contact Ms Anita CHAN on 2892 6495 or Ms Rita TSE on 2892 6525 of the NET Administration Team of the EDB.

Ms Teresa CHAN  
for Permanent Secretary for Education

c.c. Supervisors/Heads of all private secondary schools/DSS schools, and  
Heads of Sections/Government secondary schools – for information

### **Qualifications for Appointment of Native-speaking English Teacher (NET) under the Enhanced NET Scheme in Secondary Schools**

- The applicant should be a native-speaker of English or possess native-speaker English competence.

Native speakers of English are people who acquire the language in infancy and develop the language through adolescence and adulthood within a community where English is spoken as the first language. Native-speaker English competence refers to the ability to use English fluently and spontaneously, to give grammatically accurate responses in communication and to write or speak creatively.

Non-native speakers of English, i.e. people who have not acquired the language in early childhood, are also suitable for employment as NETs if their English competence is not different from that of native-speakers in terms of fluency, accuracy and creativity in language use.

- Preference will be given to applicants with experience in teaching English as a second/foreign language.
- For appointment in special schools, preference will be given to applicants who have special education training and/or experience in teaching students with special educational needs.
- Appointment of NETs should be considered according to the following order of priority:

1. **Category 1** (to be appointed at Graduate Master/Mistress (GM) rank, MPS pt. 15-33)

- (i) a bachelor's degree in English Language or English Literature or English Studies or Linguistics<sup>1</sup> or a Modern Language<sup>1</sup> OR a Bachelor in Education degree (major in English or a Modern Language<sup>1</sup>, but not primary education specialist) obtained after 3 years' full-time study from a Hong Kong university or equivalent;
- (ii) a Post-graduate Diploma in Education majoring in English or equivalent;
- (iii) a Teaching of English as a Foreign Language or a Second Language (TEFL/TESL) qualification<sup>2</sup> at least at the diploma level, or equivalent; and
- (iv) at least 1 year's post-graduate experience of teaching English (preferably as a second or foreign language) at secondary level or above.

2. **Category 2** (to be appointed at GM rank, MPS pt. 15-33)

- (i) a bachelor's degree in English Language or English Literature or English Studies or Linguistics<sup>1</sup> or a Modern Language<sup>1</sup>; OR a Bachelor in Education degree (major in English or a Modern Language<sup>1</sup>, but not primary education specialist) obtained after 3 years' full-time study from a Hong Kong university or equivalent;
- (ii) a Post-graduate Diploma in Education majoring in English or equivalent; and
- (iii) at least 1 year's post-graduate experience of teaching English (preferably as a second or foreign language) at secondary level or above.

**In the event that candidates meeting the requirements in Category 1 and Category 2 cannot be recruited, consideration may be given to appoint teachers with the following qualifications:**

3. **Category 3** (to be appointed at GM rank, MPS pt. 15-33)
  - (i) a bachelor's degree in English Language or English Literature or English Studies or Linguistics<sup>1</sup> or a Modern Language<sup>1</sup> from a Hong Kong university or equivalent;
  - (ii) a Post-graduate Diploma in Education or equivalent; and
  - (iii) at least 1 year's post-graduate experience of teaching English (preferably as a second or foreign language) at secondary level or above.
4. **Category 4** (to be appointed at GM rank, MPS pt. 15-33)
  - (i) a bachelor's degree in any subject from a Hong Kong university or equivalent;
  - (ii) a Post-graduate Diploma in Education majoring in English or equivalent; and
  - (iii) at least 1 year's post-graduate experience of teaching English (preferably as a second or foreign language) at secondary level or above.
5. **Category 5** (to be appointed at GM rank, MPS pt. 15-33)
  - (i) a bachelor's degree in any subject from a Hong Kong university or equivalent;
  - (ii) a Post-graduate Diploma in Education or equivalent;
  - (iii) a TEFL/TESL qualification<sup>2</sup> preferably at diploma level, or equivalent; and
  - (iv) at least 1 year's post-graduate experience of teaching English (preferably as a second or foreign language) at secondary level or above.
6. **Category 6** (to be appointed at GM rank, MPS pt. 15-33, with salary bar at MPS pt. 20)
  - (i) a bachelor's degree in English Language or English Literature or English Studies or Linguistics<sup>1</sup> or a Modern Language<sup>1</sup> from a Hong Kong university or equivalent;
  - (ii) a TEFL/TESL qualification<sup>2</sup> at least at the diploma level, or equivalent; and
  - (iii) at least 1 year's post-graduate experience of teaching English (preferably as a second or foreign language) at secondary level or above.
7. **Category 7** (to be appointed at GM rank, MPS pt. 15-33, with salary bar at MPS pt. 20)
  - (i) a bachelor's degree in any subject from a Hong Kong university or equivalent;
  - (ii) a master's degree in TEFL/TESL, or equivalent; and
  - (iii) at least 1 year's post-graduate experience of teaching English (preferably as a second or foreign language) at secondary level or above.

Note:

1. A degree in Linguistics or Modern Languages should be one in which English is the major language studied.
2. Please make reference to the requirements of TEFL/TESL qualification at the diploma level, which is available on the EDB webpage at [www.edb.gov.hk](http://www.edb.gov.hk) → Curriculum Development → Resources and Support → Native-speaking English Teacher (NET) Scheme → Details on the Recruitment of NETs under the Enhanced NET Scheme in Secondary Schools.





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### Part III [ To be completed by schools planning to appoint a new NET in the 2021/22 school year ]

(a) Please tick “” **one** box only:

School would entrust the EDB with recruiting one NET on their behalf

School would recruit one NET directly

(b) Please provide the reasons for not renewing the contract of the serving NET: *(for statistical purposes only)*

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(c) *(for schools entrusting the EDB with recruiting NET(s) on their behalf)* Please fill in the following information to facilitate the EDB’s provision of suitable NET candidates for your school’s reference:

Religion of School: \_\_\_\_\_

Requirements (if any): \_\_\_\_\_

Main Duties of the NET in School: \_\_\_\_\_

(d) I hereby **give/do not give**\* my consent for the EDB to disclose the name, address and fax number of my school to NET candidates in the EDB central candidate pool for direct application to schools upon their request.

\* *Delete as appropriate*

### Part IV Declaration [ To be completed by all schools ]

- I confirm that I have read and understood the contents of EDB Circular Memorandum No. 37/2021 on “Enhanced NET Scheme in Secondary Schools - Appointment and Re-appointment of NETs in the 2021/22 School Year” (the circular memorandum). I will follow the appointment requirements set out in the circular memorandum.
- I certify that all the information given in this form is true and accurate.
- I undertake to co-operate with the EDB in the running of the Enhanced NET Scheme in Secondary Schools to make the best use of resources.

Signature of Supervisor/Principal\*: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Supervisor/Principal\*: \_\_\_\_\_

Name of School: \_\_\_\_\_ District: \_\_\_\_\_

School Type: Aided/Caput/Special\*

Name of Contact Person: \_\_\_\_\_ Tel. No.: \_\_\_\_\_

\* *Delete as appropriate*



# Confidential

## Form C

### Enhanced Native-speaking English Teacher (NET) Scheme in Secondary Schools Personal Particulars of NETs Recruited Directly by School

(To be returned by fax within 7 days after a contract is signed between the school and the NET)

To: NET Administration Team, the EDB (Fax No: 2123 1239)

**NOTE: To be completed by both the school and the new NET recruited by the school directly in the 2021/22 school year**

#### Part I [ To be completed by the NET ]

Name: (Mr./Ms./Mrs./Miss\*) \_\_\_\_\_  
(First Name) (Family Name)

Date of Birth: \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
dd mm yyyy

Nationality: \_\_\_\_\_

Contract Period signed with the school for the 2021/22 school year:

(i) Effective Date of Contract Period : \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
dd mm yyyy

(ii) End Date of Contract Period : \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
dd mm yyyy

\* Delete as appropriate

#### Academic Attainment:

Colleges, Universities, etc. (Attended/Attending)	Qualifications (e.g. BA/MEd)	Major Subjects	Full or Part- Time	On Campus/ Distance Learning	Date	
					From (mm/yyyy)	To (mm/yyyy)

#### Teacher Training Qualifications:

Qualifications (e.g. Dip Teach/BEd/PGDE)	Full Name of Issuing Authority	No. of Weeks of Teaching Practice	Full or Part- Time	On Campus/ Distance Learning	Date	
					From (mm/yyyy)	To (mm/yyyy)

#### Teaching English as a Second/Foreign Language (TESL/TEFL) Qualification(s):

Qualifications (e.g. Cert/Dip/Master TESL/TEFL)	Full Name of Issuing Authority	Total Course Contact Hours	Teaching Practice (Y/N)	On Campus/ Distance Learning	Date	
					From (mm/yyyy)	To (mm/yyyy)

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### Post-Qualification Experience in Teaching English/ESL/EFL (Please include ONLY continuous employment of more than 3 months)

Name of Institution	Age/ Levels Taught	Subjects Taught	Full or Part- Time	Date	
				From <small>(dd/mm/yyyy)</small>	To <small>(dd/mm/yyyy)</small>

The contents of the above information are true and complete to the best of my knowledge and belief.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### Part II Declaration [ To be completed by the school ]

- I confirm that, in the appointment of \_\_\_\_\_ (Name of the NET), **all the appointment and qualification requirements** of NETs in secondary schools as set out in EDB Circular Memorandum No. 37/2021 on “Enhanced NET Scheme in Secondary Schools - Appointment and Re-appointment of NETs in the 2021/22 School Year” have been followed.
- The following documents have been checked as appropriate:
  - Academic qualification(s)
  - Teacher training qualification(s)
  - Qualifications assessment result for non-local qualifications issued by the Hong Kong Council for Accreditation of Academic and Vocational Qualifications
  - Certificate(s) of service (with at least 1 year’s post-graduate experience of teaching English at secondary level or above)
  - Certificate of No Criminal Conviction
  - Employment visa

Signature of Supervisor/Principal\*: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Supervisor/Principal\*: \_\_\_\_\_

Name of School: \_\_\_\_\_ District: \_\_\_\_\_

School Type: Aided/Caput/Special\*

Name of Contact Person: \_\_\_\_\_ Tel. No.: \_\_\_\_\_

\* *Delete as appropriate*

## **Personal Information Collection Statement**

1. Any information, including the personal data provided in Form A, B and C (the forms) as indicated in paragraph 16 of this circular memorandum will be used by the EDB for one or more of the following purposes:
  - (a) processing of arrangements relating to the appointment and re-appointment of NET under the Enhanced NET Scheme in Secondary Schools;
  - (b) verifying information with other departments/bureaux of the Government of the Hong Kong Special Administrative Region (the Government) and/or parties outside the Government which is relevant to (a);
  - (c) provision of education services;
  - (d) conducting research and compiling statistics to facilitate planning of education services;
  - (e) processing of matters relating to the development of the education profession; and
  - (f) administering and enforcing of the Education Ordinance and Regulations (Cap. 279).
2. Any information, including personal data, submitted by you may be disclosed to relevant government departments/bureaux and other persons, organisations or agencies for the purposes mentioned above.
3. The provision of personal data in the forms is obligatory. If you do not provide sufficient information, the EDB may not be able to process the application or proceed with the relevant arrangements.
4. Having submitted your personal data, you have the right to request access to and correction of your personal data held by us. Request for access to or correction of personal data should be made in the Data Access Request Form and sent to the Controlling Officer (Data Protection), 15/F., Wu Chung House, 213 Queen's Road East, Wan Chai, Hong Kong. For more information about the privacy policy, please visit [the website of the EDB](#).