

LORD WILSON HERITAGE TRUST

Guidelines for Applicants

Objectives of the Trust

1. The objectives of the Trust are to promote the preservation and conservation of Hong Kong's human heritage, including historical, archaeological and palaeontological objects, sites or structures.

Submission of Applications

2. All applications must be fully completed and signed by the applicant or duly authorised person of the organisation. The completed application forms should be forwarded to the following address before the deadline:

Secretariat of the Lord Wilson Heritage Trust
Home Affairs Bureau
13/F, West Wing, Central Government Offices
2 Tim Mei Avenue, Tamar, Hong Kong

3. If printed information on the proposed project or the applicant organisation is available, for example, in the form of pamphlets, it should be enclosed as this will assist in the assessment of the application.

4. Applications will be vetted by the Council and the applicants will be informed of the results in writing. The decision of the Council shall be final.

5. Applicants are advised not to incur any expenditure before their applications are formally approved. Any purchase made or expenditure incurred prior to the formal approval of application will not be reimbursed.

Criteria for Assessment of Applications

6. When considering applications for grants, the following criteria will be adopted:
- (a) projects must serve to promote the preservation and conservation of Hong Kong's heritage;
 - (b) projects must be non-profit making in nature, and that any revenue derived must be fully applied to the running of the projects with any surplus refunded to the Trust;
 - (c) as a general rule, remuneration for the applicant as researcher would normally not be accepted except under very special circumstances and each case would be considered on its own merits;

- (d) projects must not give rise to recurrent financial commitments for the Trust; and
- (e) when an applicant is requested by the Trust to provide additional information to support his application, he should supply the information within six calendar months from the date of the formal request to do so. Failure to comply would be regarded as withdrawal of the application.

7. Additional criteria apply to projects in the following categories:

(a) Conservation of Historical Buildings and Structures

- (i) the application must be submitted by the owner(s) of the building or his/their authorised representative(s);
- (ii) after conservation, the owner(s) must not alter the conserved building or redevelop the site on which the building is situated for a specified period of time as determined by the Council;
- (iii) the building must be open to the public for visits at reasonable times after conservation;
- (iv) the owner(s) shall be responsible for any expenses arising from the opening of the building to the public and from maintenance of the building;
- (v) priority will be given to buildings of high historical interest and outstanding architectural or artistic merit. Special preference will be given to gazetted and deemed monuments in private ownership; and
- (vi) the Grantee will be required to comply with any other conditions from time to time specified by the Council including the preparation of tender documents for inviting tenders, design of the project, appointment of specialist contractors, supervision of work, etc.

(b) Archaeological Investigation and Excavation

- (i) the application must be made by organisations or individuals with expertise in archaeology and
- (ii) grant will only be made on condition that the applicant(s) has/have secured a licence to excavate and search for antiquities from the Antiquities Authority under the Antiquities and Monuments Ordinance.

(c) Intangible Cultural Heritage

- (i) the application must be made by organisations or individuals with knowledge on local intangible cultural heritage; and

- (ii) grant will be made on condition that the projects will help promote local intangible cultural heritage.

Conditions of Grant

8. In addition to any special conditions imposed by the Council, a successful applicant will be required to sign an Undertaking with the Trust (the “Undertaking”) requiring the applicant:

- (a) to observe that the Undertaking signed by the Grantee with the Trust is not meant to be an employment contract;
- (b) to use the grant solely for the purpose(s) which should be non-profit making as stated in the Grantee's application form (the “project”);
- (c) to refund any unused balance of the grant and any surplus (that is, any revenue derived from the project in excess of the expenditure incurred for the running of the project, including the grant and any other sources of revenue) to the Council;
- (d) to return all the assets and durable equipment purchased with the Trust's grant within three months from the date of project completion;
- (e) to allow the Council or any person(s) authorised by the Council in writing to audit, examine, enquire into and have unhindered access to the records and accounts of the Grantee and to explain any matters relating to the receipt, expenditure or custody of any money for the project;
- (f) to observe that it is the duty of the Grantee to find out if a working permit is required to be issued by the Immigration Department and relevant Government departments for conducting the research work;
- (g) to ensure that the project is properly carried out;
- (h) to ensure that the project is completed and a final progress report with all the deliverable(s) (where applicable) as mentioned in section 7 of the Grantee(s)' application form (the “Project Deliverable(s)”), is submitted to the Secretary of the Council of the Trust by the Anticipated Completion Date unless prior written approval from the Secretary of the Council has been granted for extension of the project period;
- (i) to notify the Secretary of the Council in advance of any changes to the project. The Council reserves the right to vary the grant after having considered the changes to the project so notified;
- (j) to acknowledge the Council's assistance in all publications produced for or in relation to the project and to provide the Council with copies of the same. This will take the form “..... supported by the Lord Wilson Heritage Trust”

(with logo of the Trust). The acknowledgement should be placed in a prominent position in the publications and should be of a size not smaller than other type print. The acknowledgement and any other reference to the Council shall carry no implications whatsoever that the Council undertakes or accepts any responsibility to third parties for any debts or obligations;

- (k) to notify the Secretary of the Council of any promotional activities related to the project including press conferences and press releases, and to provide copies of relevant publicity materials;
- (l) to submit progress report to the Secretary of the Council within three months from the date of commencement of the project and thereafter on a quarterly basis up to the date of project completion;
- (m) for a grant exceeding HK\$100,000, to submit to the Secretary of the Council a project report together with the audited accounts prepared by a qualified auditor within three months of the completion of the project. It is advised that the applicant should include the auditor fee in the proposed budget. The prior written approval of the Secretary of the Council will be required for an extension of the period. For Government departments already subject to the prevailing Financial and Accounting Regulations and Standing Accounting Instructions, only the report and the statement of accounts need to be submitted;
- (n) for a grant of \$100,000 or less made to an organisation, to submit a project report together with a statement of accounts with originals of all bills, invoices, cash memos and receipts duly certified by the Chairman or other authorised person of the Grantee within one month of the completion of the project. The prior written approval of the Secretary of the Council will be required for an extension of the period. For Government departments already subject to the prevailing Financial and Accounting Regulations and Standing Accounting Instructions, only the report and the statement of accounts need to be submitted;
- (o) for a grant of HK\$100,000 or less made to a person, to submit a project report together with a statement of accounts, with originals of all bills, invoices, cash memos and receipts duly certified by an accountant or the Grantee for the project within one month of the completion of the project. The prior written approval of the Secretary of the Council will be required for an extension of the period;
- (p) notwithstanding (l) – (o) above, to submit promptly a project report with the Project Deliverable(s) as well as all financial statements in connection with the project to the Secretary of the Council upon demand;
- (q) to grant to the Trust and the Government of the Hong Kong Special Administrative Region an unconditional and irrevocable licence to use the Project Deliverable(s) to be created by the Grantee(s) for the full term of copyright for academic, educational, reproduction, display, promotional and

publicity purposes, free of royalties, licence fees or any other payments whatsoever, whereas neither the Trust nor the Government of the Hong Kong Special Administrative Region claim copyright or other intellectual property rights of the Project Deliverable(s);

- (r) to be solely responsible for all claims of infringement of copyright or other rights in relation to the Project Deliverable(s) by any third party and to fully indemnify the Trust and the Government of the Hong Kong Special Administrative Region for any such claims against the Trust or the Government of the Hong Kong Special Administrative Region;
- (s) to accept a revision of the amount of grant if the Council considers such a revision appropriate, having regard to the resources of the Grantee, and to refund to the Council immediately on demand, the amount of any necessary reduction;
- (t) to refund to the Council immediately on demand an amount equivalent to the sum of money paid to the Grantee or a lesser amount as determined by the Council if the Grantee fails to carry out the proposed project according to the terms of the Undertaking or upon cessation of the business of the Grantee;
- (u) to observe that the approval of the grant is preliminary and is subject to the potential Grantee's due execution of the Undertaking in accordance with the instructions and to the satisfaction of the Council and also subject to his return of the executed Undertaking within a prescribed time limit unless extension of time is granted by the Council;
- (v) to note that the Council shall reserve the right to revoke its preliminary approval if any of the conditions precedent are not fulfilled;
- (w) to note that formal approval shall be given only when the Council is satisfied that all the documents are in order;
- (x) to ensure that full names of the Grantees on the Undertaking shall be identical to the full names of the applicants as appeared on the application form;
- (y) to ensure that if the Grantee is a company / an organisation, (i) the documents must be signed by the duly authorised representative(s) of that organisation, stating clearly in every place of signing that he/she is signing "For and on behalf of" the organisation (or by cross-out the appropriate alternative on the document e.g. "~~The Grantee~~/ For and on behalf of the Grantee"); (ii) it must state clearly both the name of the representative and the name of the organisation which he/she is representing; (iii) the rubber chop of the organisation must be affixed (if the document is a deed, affix the common seal of the organisation); and (iv) a valid and effective power of attorney or authorisation letter issued by the organisation in accordance with the organisation's constitution must be produced;

- (z) to ensure that if the Grantee is a company / an organisation, the documents must be executed in accordance with the provisions of the company / organisation's memorandum and articles of association and with the production of all necessary documents, e.g. resolutions of the board of directors and power of attorney (where applicable); and
- (aa) to ensure that if the Grantees are individuals, all of their full names must be clearly stated in the documents and in every place of signing that the appropriate alternative must be crossed out e.g. "(The Grantee/ ~~For and on behalf of the Grantee~~)"; and that NO rubber chop or common seal of any organisation shall be affixed nearby it to cause any confusion. Also, in case where only one of the individuals will sign the document, valid and effective power of attorney of each of the other Grantees must be produced and it must be stated in the document that the signing person is signing for himself and also for and on behalf of the other named Grantees.

Payment of Grants

9. (a) For projects costing over \$50,000

- (i) Subject to section (c) below, an advance payment of 50% of the project cost will normally be made to the Grantee upon approval of the project;
- (ii) during the implementation stage of the project, payment of 25% of the project cost may be made to the Grantee upon production of certified receipts of a value not less than 25% of the project cost (i.e. half of the advance payment); and
- (iii) payment of the remaining 25% of the project cost will be made when the project is completed to the satisfaction of the Trust and that all the certified receipts have been received by the Secretary.

(b) For projects costing \$50,000 or less

The same principles as (a) above apply, except that at stage (i) the advance payment is 25% and the final payment at stage (iii) is 50% of the project cost.

- (c) Notwithstanding sections (a) and (b) above, the Council may make any payment arrangements as it sees fit.

Lord Wilson Heritage Trust

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