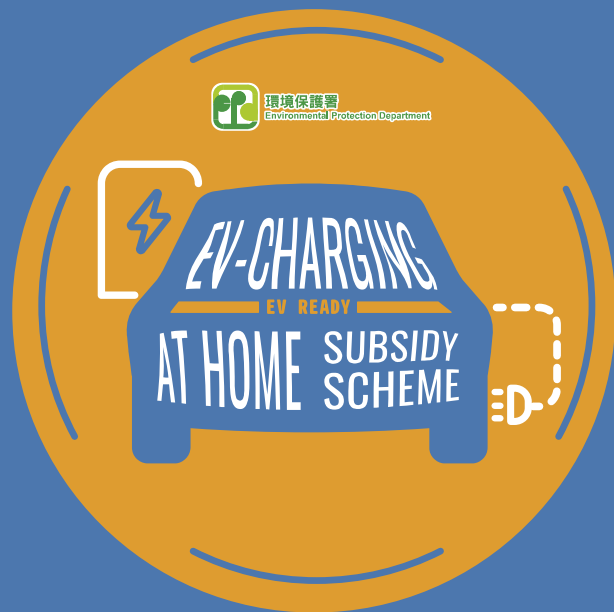


EV-charging at Home Subsidy Scheme

Application Notes



Environmental Protection Department
15/F & 16/F, East Wing
Central Government Offices
2 Tim Mei Avenue, Tamar
Hong Kong



1. Introduction

- 1.1 Electric vehicles (“EVs”) have no tailpipe emissions. Replacing conventional vehicles with EVs can help improve roadside air quality and reduce greenhouse gas emissions. In view of the rapid development of EV technology, electric private cars (“e-PCs”) may become the main stream vehicles in the foreseeable future. To prepare Hong Kong with the required charging infrastructure to support the wider use of e-PCs, the Government is forward-looking and has been encouraging, among other initiatives, the installation of EV charging-enabling infrastructure (“EVCEI”) in private car parks. Since charging at home is the most convenient option to owners of e-PCs, and making charging facilities available at residence certainly helps promote greater adoption of EVs, the Government spearheads to support and facilitate installation of charging facilities in car parks of private residential buildings.
- 1.2 The Government’s policy direction is that electric car owners should charge their cars at home, workplaces or other suitable places on a routine basis. Public charging network only serves to provide top-up charging in the case of drivers’ occasional needs while on road. The Chief Executive announced in the 2019 Policy Address that the Government would prepare for a \$2 billion pilot subsidy scheme to promote installation of EVCEI in car parks of existing private residential buildings. The pilot subsidy scheme, namely the “EV-charging at Home Subsidy Scheme” (“EHSS”), is to help car parks of existing private residential buildings with multiple ownership resolve technical and financial difficulties that are encountered frequently when retrofitting EVCEI and further facilitate car park owners to install EV chargers (or EV supply equipment) of their choice in the future in a simple and easy manner.
- 1.3 The EHSS is well received since its launch on 21 October 2020. In order to meet the public demand, the Government has further injected an additional funding of \$1.5 billion to the original \$2 billion EHSS in the 2022-23 Budget, to extend the EHSS for four years to the 2027-28 financial year. The entire \$3.5 billion EHSS is expected to support installation of EVCEI in some 700 car parks of the existing private residential buildings and estates covering roughly 140,000 parking spaces, which is about half of the eligible parking spaces in Hong Kong. Processing of applications and allocation of subsidy to successful applicants will be on a first-come-first-served basis until the whole funding is used up.

- 1.4 This Application Notes provides general information about the EHSS and guidelines for participation in the scheme. The content of the Application Notes will be updated as and when necessary.

2. Steps to Complete Participation of the EHSS

2.1 Below are the key steps to participate in the EHSS –

- (a) Check if the car park is eligible for the EHSS (see part 3);
- (b) Check if you belong to either one of the three types of applicants for applying for the EHSS (see paragraph 4.1);
- (c) Hold meeting of the owners' corporation or meeting of all owners, as the case may be, to pass resolutions for applying for the EHSS (see paragraph 4.2 and **Annex 1**) [*note: the applicant may choose to pass all the required resolutions listed in Part 1 to 3 of Annex 1 in one single meeting of the owners' corporation or meeting of all owners before making the application.*];
- (d) If applicable, seek independent legal opinion to confirm and certify that resolutions may be passed at the meetings of the owners and such resolutions shall be binding on all the owners of the building(s) concerned (see paragraph 4.3);
- (e) Seek written advice from the power company for preliminary assessment of power supply capacity (see paragraph 4.5);
- (f) Submit completed Application Form and required documents to the Environmental Protection Department ("EPD") (see paragraph 4.6 to 4.8);
- (g) If the application is successful, procure the services of a consultant to prepare the works specifications for the installation of the EV charging-enabling infrastructure ("EVCEI") (see paragraph 8.3 to 8.4), and inform the EPD the name of the consultant selected and the contract sum for the consultant's service (see paragraph 10.1);
- (h) Sign an initial subsidy agreement with the Government after signing the contract with the selected consultant (see paragraph 10.2 and 10.5);
- (i) Submit the final coverage of parking spaces and the specifications of the installation works of the EVCEI to the EPD for review and confirmation (see paragraph 5.3);
- (j) Procure the services of a contractor to carry out the installation works (see paragraph 8.5), and inform the EPD the name of the contractor selected and the contract sum to be paid to the contractor for the installation works (see paragraph 10.1);

- (k) Sign a further subsidy agreement with the Government after signing the contract with the selected contractor (see paragraph 10.3 and 10.6);
- (l) Monitor the conduct of the installation works and submit bi-monthly progress reports of the installation works to the EPD (see part 11);
- (m) Open a dedicated bank account or designate a dedicated bank account for the subsidy to be granted under the EHSS (see paragraph 12.1);
- (n) Submit claim form with supporting documents to the EPD for release of subsidy (see paragraph 12.3);
- (o) Pay the consultant and contractor according to the terms of payment in the relevant contracts (see paragraph 12.4);
- (p) Keep books of account for inspection by the EPD (see paragraph 13.1); and
- (q) Operate and maintain the EVCEI installed.

3. Eligibility

3.1 A car park eligible for the EHSS must fulfil the following criteria –

- (a) it is ancillary to one or more buildings (other than a house or a village house) which is / are –
 - (i) mainly for domestic use;
 - (ii) not under any known or existing re-development / demolition plan on the date of application; and
 - (iii) with building plans firstly submitted to the Buildings Department for approval before 1 April 2011¹;
- (b) it is not a temporary car park or on a site granted by or leased from the Government under short term tenancies;
- (c) it is not subject to any contract or agreement made by the applicant with any other parties for the provision of electric vehicle charging services to the users of the car park; and
- (d) it –
 - (i) must contain 10 or more eligible parking spaces;
 - (ii) has less than 60% of the total number of the eligible parking spaces in open area; and

¹ Car parks of buildings with building plans which have been previously disapproved on grounds relating to proof of ownership or realistic prospect of control of the land forming the site and are resubmitted for approval on or after 1 April 2011 are not eligible for the EHSS, except those firstly resubmitted within 6 months from the date of disapproval of the previously submitted plans and the resubmitted plans are approved by the Buildings Department.

- (iii) is in multiple ownership with no owner² owning more than 40% of the total number of the eligible parking spaces in the car park.

3.2 For the purpose of determining eligibility for the EHSS –

- (a) a car park will be regarded as “ancillary” to a building if the car park is covered by the same deed of mutual covenant (“DMC”), or in common ownership with the building concerned;
- (b) “eligible parking space” means a parking space which is –
 - (i) marked for parking use other than for loading and unloading uses in the building plans approved by the Buildings Department; and
 - (ii) not for daily or hourly rental uses;
- (c) “house” means a building that contains only one unit for domestic use;
- (d) “domestic use” means use for habitation, other than use for hotel, guest-house, boarding-house, hostel, dormitory or similar accommodation, and which use shall be consistent with the use as shown in the occupation permit of the building(s);
- (e) “mainly for domestic use” means at least 60% of the storeys of the building(s) are for “domestic use” as described in paragraph 3.2(d) above. The occupation permit of the building(s) would be taken into account in determining whether or not the building(s) is / are “mainly for domestic use”;
- (f) “open area” means an area which is vertically uncovered by any structure constructed in accordance with the building plans approved by the Buildings Department; and
- (g) “village house” means a building for domestic use which by virtue of the Buildings Ordinance (Application to the New Territories) Ordinance (Cap. 121) is exempted from certain provisions of the Buildings Ordinance (Cap. 123) and its subsidiary regulations.

3.3 The EPD reserves the right to interpret and revise the Application Notes including the above eligibility criteria and definitions.

4. Submission of Application

4.1 An applicant of the EHSS has to be –

² A person will be regarded as an owner of an eligible parking space if his name is registered in the Land Registry as the owner or one of the owners of that parking space.

- (a) an owners' corporation ("OC") registered under the Building Management Ordinance (Cap. 344) ("BMO"); or
 - (b) if there is no OC, the person who is specified in the DMC to manage the building(s) concerned ("DMC Manager"); or
 - (c) if there is no OC or DMC Manager, all the owners of the building(s) concerned collectively.
- 4.2 Before submitting the application, the applicant as described in paragraph 4.1(a) or 4.1(c) above must pass resolutions on the matters set out in Part 1 of **Annex 1** for applying for the EHSS at a general meeting of the OC or meeting of all owners, as the case may be.
- 4.3 The applicant as described in paragraph 4.1(c) above shall also provide in the application an independent legal opinion in form and substance satisfactory to the EPD to confirm and certify that pursuant to the relevant DMC, resolutions on the matters set out in Part 1 to 3 of **Annex 1** may be passed at the meetings of the owners and such resolutions shall be binding on all the owners of the building(s) concerned.
- 4.4 The resolutions referred to in paragraph 4.2 above must be passed in compliance with the applicable requirements in the BMO and the DMC on or before the date of submitting the application.
- 4.5 To ensure that the EVCEI can support simultaneous charging at all the parking spaces in the car park, the power supply capacity for the EVCEI has to meet a minimum requirement in order to be eligible for the scheme. As a minimum, the power supply capacity for the EVCEI should be able to support simultaneous medium charging, i.e. with 1-phase 32A power supply, for 50%³ of all eligible parking spaces in the application, or the power company can upgrade the power supply to such capacity within three years from the date of issuance of the approval-in-principle letter to the applicant. The applicant shall seek written advice from the power company for preliminary assessment on the power supply capacity available for the EVCEI for all eligible parking spaces to be included in the application, and provide the written advice in the application. Below are the

³ With a reduced power capacity, simultaneous charging at all parking spaces can be facilitated by the use of (a) zoned power supply; (b) reduced charging current; or (c) a load management system ("LMS"), to be designed by the consultant employed by the applicant according to EPD's Design Guidelines for EV Charging-enabling Infrastructure under the EHSS. The applicant should note that the LMS, if selected, is not covered by the subsidy.

contact points of the two power companies which applicants can approach for seeking relevant advice –

(a) CLP Power Hong Kong Limited

Hotline : 2678 2622

Email : ev@clp.com.hk

(b) The Hongkong Electric Company Limited

Hotline : 2510 2701

Email : ev@hkelectric.com

4.6 The applicant shall state in the application the scope and coverage of the eligible parking spaces in the car park which are intended to be covered by the EVCEI installation works subsidised under the EHSS. The final coverage of eligible parking spaces shall be subject to review and confirmation by the EPD, having regard to the recommendations of feasibility assessment made by the consultant engaged by the applicant.

4.7 A valid application must include the following documents –

- (a) a duly completed and signed Application Form;
- (b) for an applicant as described in paragraph 4.1(a) above, a copy of the certificate of registration of the OC;
- (c) for an applicant as described in paragraph 4.1(b) above, a copy of the certificate of incorporation, the certificate of change of name (if applicable), and business registration certificate of the DMC Manager;
- (d) for an applicant as described in paragraph 4.1(a) or 4.1(c) above, a copy of meeting notices and minutes of general meeting of the OC or meeting of owners at which all the resolutions required for the application are passed;
- (e) for an applicant as described in paragraph 4.1(a) or 4.1(c) above, copies of the identity cards and proofs of residential addresses of the persons authorised to sign the Application Form for and on behalf of the applicant;
- (f) for an applicant as described in paragraph 4.1(b) above, copy(ies) of the identity card(s) and proof of company address of the person(s) signing the Application Form for and on behalf of the applicant;
- (g) for an applicant as described in paragraph 4.1(b) above, documentary evidence (e.g. a board resolution) showing that the person(s) signing the Application Form and other documents related to the application has / have the authority

- to sign it for and on behalf of the applicant;
- (h) for an applicant as described in paragraph 4.1(c) above, independent legal opinion as required in paragraph 4.3 above;
- (i) written advice from the power company on assessment of power supply capacity to the car park; and
- (j) floor plan(s) of the car park indicating the parking spaces to be covered in the application, open area parking spaces, hourly and daily rental parking spaces (if any), and parking spaces already installed with EV chargers / EV supply equipment.

4.8 The duly completed and signed Application Form and the required documents as set out in paragraph 4.7 above must be submitted to the EPD by the following means –

- (a) through online application on the website for the EHSS at <https://www.EVhomecharging.gov.hk>; or
- (b) by mail to the following address –
Electric Vehicle Section (3)
Air Quality Management Division
Environmental Protection Department
33/F, Revenue Tower
5 Gloucester Road
Wan Chai
Hong Kong; or
- (c) in person to the address in paragraph 4.8 (b) above.

4.9 No fee is required in making an application for the EHSS.

4.10 The EPD reserves the rights to request further information from an applicant (including but not limited to the DMC of the building(s) concerned) for deciding whether the application criteria are fulfilled. The EPD's decision on an application made under the EHSS shall be final.

5. Coverage of the Subsidy

5.1 The subsidy will in general cover the costs of employing a consultant and a contractor for the installation of EVCEI in the car park concerned, including the costs of using the designated web platform for procurement of services of consultant and contractor⁴. The EVCEI installation works to be covered include installation and upgrading of cable containment / trays / trunking, protection devices, distribution boards, conduits, switches, cables / wirings, isolators, alteration and addition to switchgear, meter boards for installation of electric meters, fireman's emergency switch, and associated builder's works required. Modification to the existing charging facilities to integrate with the EVCEI to be installed under the EHSS may also be covered, subject to review and confirmation by the EPD. The subsidy will not cover a load management system for the EVCEI installed or to be installed under the EHSS.

5.2 According to Fire Services Department ("FSD") Circular Letter No. 4/2020 – Additional Fire Safety Requirements for Car Parking Facilities installed with Electric Vehicle Charging Facilities ("Circular Letter") issued on 31 July 2020 (please see https://www.hkfsd.gov.hk/eng/source/circular/2020_04_eng_20200731_110104.pdf), buildings planned with EV charging facilities are advised to enhance the fire safety provisions stipulated in the Circular Letter. Applicants who intend to install EVCEI in car parks which have not been provided with sprinkler systems are advised to take note of the Circular Letter and, on a voluntary basis, consider to include installation of fire detection system in the works specifications. Should the applicant decide to install the fire detection system, the installation works may be included in the works specifications and covered by the subsidy, subject to review and confirmation by the EPD and the ceiling referred to in paragraph 6.1 below. However, the applicant will need to bear (i) the additional cost in case the total subsidy to be granted is not sufficient to cover the overall costs of installation works, and (ii) the operating and maintenance cost of the fire detection system installed. The applicant should seek advice from the FSD for details and requirements of the fire detection system if needed. FSD's contacts are –

(a) Email : fschq@hkfsd.gov.hk

⁴ For the designated web platform, please refer to the "Guide to Procurement of Services of Consultants and Contractors for Installation of EVCEI under the EHSS" ("Guide to Procurement of Services") as set out in **Annex 2**.

(b) Telephone : 3971 4600

- 5.3 The EVCEI must be designed by a consultant according to EPD's "Design Guidelines for EV charging-enabling Infrastructure under the EHSS" ("Design Guidelines"). The final coverage of eligible parking spaces and the specifications of the installation works of the EVCEI, including fire detection system (if applicable), must be reviewed and confirmed by the EPD before the applicant invites tenders for engaging a contractor for carrying out the installation works. Otherwise, no subsidy under the EHSS will be granted for such installation works.
- 5.4 The costs for building alterations and additions works for installation works may be covered by the subsidy, subject to review and confirmation by the EPD and the ceiling referred to in paragraph 6.1 below.
- 5.5 The subsidy will not cover the supply and installation of EV chargers / EV supply equipment to be connected to the EVCEI installed under the EHSS, and any operating, maintenance and insurance costs of the installed EVCEI and the fire detection system if installed. No subsidy will be provided for any EVCEI or charging facilities installed before submission of the application to the EPD.

6. Ceiling of Subsidy

- 6.1 The total subsidy for all eligible parking spaces and car parks in a development must not exceed the ceiling of subsidy for any single development. The ceiling of subsidy is set at \$30,000 per eligible parking space covered by the installation works as approved by the EPD, or \$15 million in total for the entire development (regardless of the number of car parks or applications submitted), whichever is lower.
- 6.2 For the purpose of determining the ceiling of subsidy and the subsidy to be granted, car parks would be considered as being in the same development if they are ancillary to buildings in the same development. A development means a collection of two or more buildings where the construction of those buildings can be regarded as one single real estate development project by reason of the engineering, structural or architectural connection between the buildings. In determining whether the construction of two or more buildings can be regarded as one single real estate development project, the EPD may take into account the

following –

- (a) whether the buildings are within a residential estate of a common estate name;
- (b) whether the buildings are geographically adjacent to each other and with related building / estate names, such as –
 - (i) names in sequence, as indicated by the numbers and / or alphabets associated with the names of the buildings / estates;
 - (ii) names in series, such as one or more than one common word is / are used as the names of the buildings / estates;
 - (iii) names with same or similar meaning; and
 - (iv) names that can be recognised as associated to each other by the characteristics or nature of the objects that the names are referring to, e.g., flowers, trees, plants, animals, stars, etc.

6.3 Enquiries on whether a car park would be regarded as being in the same development with other car parks can be made to the contacts as set out in part 15 below. The EPD reserves the right to determine whether certain buildings belong to the same development and the decision shall be final.

7. Subsidy to be Granted

7.1 Subject to the EPD's approval, the ceiling referred to in paragraph 6.1 and the method of allocation of subsidy referred to in part 9, the total subsidy to be granted for a successful application is the sum of –

- (a) the cost for procurement of the services of a consultant and a contractor (if applicable);
- (b) the contract sum for the consultant's service, subject to paragraph 10.2 below; and
- (c) the contract sum to be paid to the contractor for the installation works (if applicable). The cost of installation works to be granted shall either be the estimated market price of the installation works as computed by the EPD's advisor (see paragraph 8.5 below) or the contract sum as proposed in a tender for installation works as selected by the applicant, whichever is lower. The applicant shall make up the difference of the cost if the final cost of the installation works by the selected contractor is higher than the estimated market price computed by the EPD's advisor.

8. Processing of Applications

8.1 Processing of applications and allocation of subsidy to successful applicants will be on a first-come-first-served basis according to the date on which the valid application is received by the EPD until the funding is used up, and all valid applications received on the same date will be processed on an equal basis. The date of receipt of a valid application is determined as follows –

- (a) online submission – the date of submission (from 00:00:00 hours to 23:59:59 hours);
- (b) submission by mail – the date shown in the postmark;
- (c) in person submission – the date on which the valid application is submitted in person during office hours (09:00 hours to 17:00 hours, Monday to Friday (except public holidays)).

8.2 [deleted]

8.3 All applications received will be assessed by the EPD to determine if an application is valid and has satisfied the eligibility criteria. For each successful application that has fulfilled all eligibility criteria, the EPD will issue an approval-in-principle letter to the applicant, and the applicant shall, before the date set in the approval-in-principle letter, invite tenders for engaging a consultant to perform the tasks as set out in paragraph 8.4 below. The applicant shall procure the services of the consultant according to the “Guide to Procurement of Services of Consultants and Contractors for Installation of EVCEI under the EHSS” (“Guide to Procurement of Services”) as set out in **Annex 2**.

8.4 The consultant employed by the applicant shall carry out a feasibility assessment of installation of EVCEI in the car park, including assessment of coverage of parking spaces, technical feasibility of the installation works, and the need to upgrade power supply capacity. The consultant is required to –

- (a) liaise with the power company and relevant Government departments for issues relating to the installation works as necessary;
- (b) prepare a proposed design of the EVCEI with reference to EPD’s “Design Guidelines” in consultation with the applicant;
- (c) provide the estimated cost of the installation works to the applicant for consideration;

- (d) prepare the detailed works specifications for the installation works with adjustment of scope of work if necessary, for agreement by the applicant and review and confirmation by the EPD;
- (e) assist the applicant in procuring the services of a contractor for the installation works; and
- (f) monitor and supervise the contractor's work to ensure that the installation works are conducted and completed according to the specifications and programme set out in the contract of installation works with the contractor.

8.5 With the consultant's advice, the applicant shall invite tenders and select the contractor according to the "Guide to Procurement of Services" (at **Annex 2**). In respect of the invitation for tenders for engaging a contractor for the installation works, the EPD's advisor will insert an estimated market price of the installation works for reference (not in the form of tender) in the tender box which will be opened with the tenders submitted at the same time. The estimated market price will be adopted by the EPD for computing the subsidy to be allocated if the proposed contract sum by the selected contractor is higher (see paragraph 7.1(c) above).

8.6 After the opening of the tenders for the contractor's service, the applicant may consider re-tendering with modification to the scope of works and / or coverage of parking spaces in the specifications or withdrawing the application provided that full justifications are provided for review and confirmation by the EPD. The applicant is not allowed to remove installation of EVCEI in the revised scope of works for re-tendering. No more than one re-tendering is allowed for the engagement of a contractor.

8.7 The applicant shall open the tenders not later than two weeks after close of tenders, and sign the contracts with the selected consultant and contractor not later than two months after the respective tenders are opened. The installation works shall commence no later than two months after signing the contract with the contractor.

8.8 Any tendering exercise which fails to comply with paragraphs 8.3 to 8.7 above or any guidelines the EPD set forth shall entitle the Government to deduct or withhold any amount of subsidy to be released to the applicant as the EPD considers appropriate.

9. Allocation of Subsidy

- 9.1 For a building or development with more than one car park, allocation of subsidy to the car parks will be on a first-come-first-served basis, and no further subsidy will be provided once the ceiling referred to in paragraph 6.1 above is reached or the funding is used up, whichever is earlier. The EPD reserves the right to decide the final amount of subsidy allocated to each car park and applicant.
- 9.2 If there is more than one car park in a building or development and the respective applicants for which submit valid applications on the same date, and if all the applications are successful and that the total subsidy needed for all the applications would exceed the ceiling referred to in paragraph 6.1 above or the remaining subsidy available for the building or development or the funding available for the EHSS, the subsidy will be granted according to the total number of eligible parking spaces approved in the applications concerned on a pro rata basis, irrespective of the number of applications involved.

10. Subsidy Agreements

- 10.1 To facilitate the preparation of subsidy agreements to be signed between the applicant and the Government for release of the subsidy, the successful applicant shall inform the EPD the name of the consultant selected and the contract sum for the consultant's service, and the name of the contractor selected and the contract sum to be paid to the contractor for the installation works (if applicable) not later than 7 calendar days after the consultant and contractor are respectively engaged.
- 10.2 The successful applicant shall sign an *initial subsidy agreement* with the Government after signing the contract with the selected consultant to undertake to proceed with the application and agree that in case the applicant decides not to proceed with the installation works, the applicant may only receive subsidy which shall be no more than 30% of the contract sum as specified in the contract with the consultant, subject to the work completed by the consultant according to the relevant contract specifications and acceptance by the EPD.
- 10.3 The applicant shall sign a *further subsidy agreement* with the Government after signing the contract with the selected contractor to undertake to duly perform the obligations for receiving the subsidy for the installation works.
- 10.4 In case the applicant withdraws the application at any stage after signing the initial

subsidy agreement with the Government, or cannot complete the installation works and / or terminates the contract(s) with the consultant and / or contractor, the applicant shall bear all the consequences and liabilities, subject to the terms of the relevant subsidy agreement(s) and approval of the EPD.

10.5 Before the Government would enter into the initial subsidy agreement referred to in paragraph 10.2 above with the applicant, the applicant shall submit to the EPD a copy of the contract with the selected consultant **and** –

- (a) for an applicant as described in paragraph 4.1(a) above, documentary evidence (including the relevant notice and minutes of the meeting) acceptable to the EPD demonstrating that the applicant had passed resolutions on the matters in Part 2 of **Annex 1** at a general meeting of the applicant;
- (b) for an applicant as described in paragraph 4.1(b) above, documentary evidence (e.g. a board resolution) acceptable to the EPD demonstrating authorization and approval of the signing of the initial subsidy agreement;
- (c) for an applicant as described in paragraph 4.1(c) above, documentary evidence (including the relevant notice and minutes of the meeting) acceptable to the EPD demonstrating that the owners had passed resolutions on the matters in Part 2 of **Annex 1** at a meeting of the owners in accordance with the relevant DMC.

10.6 Before the Government would enter into the further subsidy agreement referred to in paragraph 10.3 above with the applicant, the applicant shall submit to the EPD a copy of the contract with the selected contractor **and** –

- (a) for an applicant as described in paragraph 4.1(a) above, documentary evidence (including the relevant notice and minutes of the meeting) acceptable to the EPD demonstrating that the applicant had passed resolutions on the matters in Part 3 of **Annex 1** at a general meeting of the applicant;
- (b) for an applicant as described in paragraph 4.1(b) above, documentary evidence (e.g. a board resolution) acceptable to the EPD demonstrating authorization and approval of the signing of the further subsidy agreement;
- (c) for an applicant as described in paragraph 4.1(c) above, documentary evidence (including the relevant notice and minutes of the meeting) acceptable to the EPD demonstrating that the owners had passed resolutions on the matters in Part 3 of **Annex 1** at a meeting of the owners in accordance with the relevant DMC.

11. Monitoring of Installation Works

- 11.1 The applicant shall facilitate and supervise, with the assistance of the consultant, the conduct of the installation works by the contractor to ensure that the works shall be carried out and completed according to the specifications and programme set out in the contract, and co-operate with the EPD for arranging for inspections of the installation works.
- 11.2 The applicant shall submit bi-monthly progress reports of the installation works to the EPD for information. Slippage to the programme, if any, together with the causes and the mitigation measures should be reflected in the progress reports.
- 11.3 The EPD will conduct random inspections on the works, and will take actions deemed necessary, such as issuing a warning letter, or requesting formulation of remedial plans if irregularities are observed in the progress reports or site inspections.

12. Release of Subsidy

- 12.1 The successful applicant is required to open a dedicated bank account or designate a dedicated bank account for the subsidy to be granted under the EHSS. For an applicant as described in paragraph 4.1(c) above, no less than two owners should be authorised to open the dedicated bank account. Details of the bank account and the names of the representatives who can access the bank account shall be registered with the EPD. An applicant as described in paragraph 4.1(a) or 4.1(b) above shall enter the approved subsidy received under the EHSS as a separate item into the audited financial statements of the applicant, while an applicant as described in paragraph 4.1(c) above shall keep all the bank statements of the transactions relating to the EHSS in a dedicated file.
- 12.2 Subject to paragraph 7.1(c), part 9 and paragraph 10.2 above, subsidy will be released to the successful applicant by batches to the dedicated / designated bank account referred to in paragraph 12.1 above as follows –
- (a) For the engaged consultant –

- (i) 30% of the relevant contract sum after signing of the contract between the applicant and the contractor **and** signing of the initial subsidy agreement between the applicant and the Government; and
 - (ii) the balance of the contract sum (subject always to the ceiling referred to in paragraph 6.1 above and the terms of the initial subsidy agreement) after confirmation and acceptance of satisfactory completion of installation works by the applicant and approval of the EPD;
- (b) For the engaged contractor –
- (i) 20% of the relevant contract sum (or if applicable, 20% of the amount calculated according to paragraph 7.1 (c) and part 9) after signing of the contract between the applicant and the contractor **and** signing of the further subsidy agreement between the applicant and the Government;
 - (ii) not more than 40% of the contract sum (or if applicable, not more than 40% of the amount calculated according to paragraphs 7.1 (c) and part 9), in case the applicant needs to pay the contractor an interim payment according to the relevant terms of the contract before completion of the installation works and with approval of the EPD; and
 - (iii) the balance of the contract sum (or if applicable, the balance of the amount calculated according to paragraphs 7.1 (c) and part 9) (subject always to the ceiling referred to in paragraph 6.1 above and the terms of the further subsidy agreement) after confirmation and acceptance of satisfactory completion of installation works by the applicant and approval of the EPD.

12.3 When applying for release of subsidy, the applicant is required to submit a claim form together with supporting documents, including but not limited to copies of the signed contracts with the consultant and / or the contractor, and proofs of satisfactory performance of the consultant and completion of installation works by the contractor all in accordance with the specifications in the respective contracts. The applicant shall also submit a declaration to confirm that no other contracts or agreements have been made between the applicant and other parties other than the engaged consultant and engaged contractor in association with the EVCEI installed under the EHSS.

12.4 Normally, the EPD will release the subsidy not later than one month upon satisfactory receipt of all required documents from the applicant. The applicant shall pay the consultant and the contractor from the said dedicated / designated

bank account according to the terms of payment in the relevant contracts, and inform the EPD with proofs of payments not less than 14 days after payments are so made. The applicant shall inform the EPD of the reasons for not paying the consultant and the contractor according to the payment terms or one month after receiving the subsidy from the EPD.

13. Other Obligations of the Applicants

13.1 The applicant must retain the books of account and all other relevant records and information related to the EHSS for at least seven years after the last payment to the engaged consultant and / or contractor, whichever is later. These books and records, together with the audited financial statements or dedicated file referred to in paragraph 12.1 above, shall always be ready and available for inspection by the EPD.

13.2 After the completion of the installation of the EVCEI, the applicant shall, upon request of the EPD and in every six months, provide the aggregate electricity consumption of the EVCEI installed under the EHSS to the EPD.

13.3 The applicant should note that the Independent Commission Against Corruption (“ICAC”) may review the procedures and practices of the EHSS to prevent corruption or related malpractices, and ICAC may obtain information or record kept by the applicant for inspection and analysis. The applicant should fully co-operate with the ICAC and provide assistance when so required.

14. General Notes

14.1 The EPD is a Government department. All staff members of the EPD are prescribed officers as defined in the Prevention of Bribery Ordinance (Cap. 201). They are subject to the said Ordinance and are not allowed to solicit or accept any forms of advantages (monetary or otherwise) from any customers, contractors, suppliers, registered inspectors or any other persons in relation to the EHSS.

14.2 All applicants must –

- (a) prohibit the related personnel from offering, soliciting or accepting advantages as defined in the Prevention of Bribery Ordinance (Cap. 201)

from any party, except in cases where the acceptance is within the specified permissible nature, values or circumstances such that no improper influence is involved;

- (b) avoid, during the subsistence of either the initial subsidy agreement or further subsidy agreement, undertaking any service, task or job or do anything whatsoever which conflicts, or which may be seen to conflict, with the applicants' duties under the said subsidy agreements and require the corresponding management committee, its members, DMC Manager(s), property management company and agents to observe the same; and
- (c) where a conflict is unavoidable, ensure proper handling of the conflict, and notify the EPD in writing as soon as possible of the circumstances involved and the actions taken to minimise its impact.

14.3 Notwithstanding anything to the contrary in the agreement(s) signed between the applicant and the Government in respect of the application, the Government reserves the right to disqualify an application on the grounds that the applicant has engaged, is engaging, or is reasonably believed to have engaged or be engaging in acts or activities that are likely to cause or constitute the occurrence of offences endangering national security or otherwise the exclusion is necessary in the interest of national security, or is necessary to protect the public interest of Hong Kong, public morals, public order or public safety.

14.4 The Government may immediately terminate the agreement(s) upon the occurrence of any of the following events:

- (a) the applicant has engaged or is engaging in acts or activities that are likely to constitute or cause the occurrence of offences endangering national security or which would otherwise be contrary to the interest of national security;
- (b) the continued engagement of the applicant or the continued implementation of the project is contrary to the interest of national security; or
- (c) the Government reasonably believes that any of the events mentioned above is about to occur.

14.5 The Application Notes and Application Form are not legally binding on the EPD. The EPD is not liable to any person for any loss or damages which may be incurred or sustained by relying on any information contained in the Application Notes and Application Form.

14.6 The EPD reserves the right to revise the Application Notes at any time without prior notice. The latest version of the Application Notes and Application Form can be downloaded from the website of the EHSS at <https://www.EVhomecharging.gov.hk>.

14.7 Any willful misrepresentation or omission may lead to disqualification and lawsuit. Applicants are reminded that it is a criminal offence to obtain any pecuniary advantage by deception.

15. Enquiries

15.1 Enquiries about the EHSS can be made –

(a) by Email to : evhomecharging@epd.gov.hk

(b) by telephone to : 2594 6583

- End -

Resolutions Required

[Note: the applicant may choose to pass all the required resolutions listed in Part 1 to 3 of Annex 1 in one single meeting of the owners' corporation or meeting of all owners before making the application.]

Part 1

- (a) to resolve that the applicant shall make an application for the EHSS;
- (b) to resolve to authorise 2 persons, who shall be (i) members of the management committee of the applicant (for an applicant as described in paragraph 4.1(a) of the Application Notes) or (ii) owners of the building(s) (for an applicant as described in paragraph 4.1(c) of the Application Notes), to sign the Application Form for the EHSS and other documents related to the application for and on behalf of the applicant.

Part 2

- (a) to resolve that the applicant shall enter into the initial subsidy agreement referred to in paragraph 10.2 of the Application Notes with the Government;
- (b) to resolve to authorise 2 persons, who shall be (i) members of the management committee of the applicant (for an applicant as described in paragraph 4.1(a) of the Application Notes) or (ii) owners of the building(s) (for an applicant as described in paragraph 4.1(c) of the Application Notes), to sign the said initial subsidy agreement for and on behalf of the applicant;
- (c) (for an applicant as described in paragraph 4.1(c) of the Application Notes) to resolve to authorise at least 2 owners of the building(s) concerned to open a dedicated bank account for receiving subsidy from the Government under the EHSS and for payments to the consultant and contractor engaged by the applicant and payments of other relevant expenditures approved by the EPD for the installation works of the EVCEI, and to collect for and on behalf of the applicant the subsidy released by the Government under the EHSS.

Part 3

- (a) to resolve that the applicant shall enter into the further subsidy agreement referred to in paragraph 10.3 of the Application Notes with the Government;
- (b) to resolve to authorise 2 persons, who shall be (i) members of the management committee of the applicant (for an applicant as described in paragraph 4.1(a) of the Application Notes) or (ii) owners of the building(s) (for an applicant as

described in paragraph 4.1(c) of the Application Notes), to sign the said further subsidy agreement for and on behalf of the applicant.

**Guide to Procurement of Services of Consultants and Contractors for
Installation of Electric Vehicle Charging-enabling Infrastructure under
the EV-charging at Home Subsidy Scheme**

- (a) Each successful applicant shall devise the contract specifications for engaging the services of a consultant and a contractor for the installation works under the EV-charging at Home Subsidy Scheme (“EHSS”) by making reference to “Guidance on Preparation of Specifications for Employment of Consultants and Contractors for Installation Works under the EV-charging at Home Subsidy Scheme” (“Guidance on Preparation of Specifications”) issued by the EPD.
- (b) Announcements of invitation for tenders and any communications with interested tenderers for engagement of a consultant and a contractor under the EHSS shall be done openly on the EHSS Open E-tendering Platform (<https://openet.brplatform.org.hk/URA/en/Login/New.aspx>) as administered by the Urban Renewal Authority.
- (c) The tendering exercise for engagement of a consultant and a contractor shall comply with –
 - (i) the BMO; and
 - (ii) the “Code of Practice on Procurement of Supplies, Goods and Services” (“Code of Practice”) issued by the Secretary for Home Affairs under the BMO.
- (d) Each applicant shall comply with, among others, the relevant requirements on declaration of interest and the prohibition from soliciting or accepting advantages as stipulated in the Code of Practice.
- (e) Interested tenderers for either of the contracts must meet the qualifications set out in the “Guidance on Preparation of Specifications” before submitting tenders, and they may register their particulars in the designated web platform so that they will receive notifications of invitation for tenders when new tenders are invited for any new installation works. For engagement of consultants and contractors for installation works, each applicant should follow, as far as practicable, the good practices as set out in the “Best Practice Checklist – Management of Works Consultancies”
[\[https://cpas.icac.hk/UploadImages/InfoFile/cate_43/2016/51f362a1-7f20-4c4d-846f-0de7fcaa411c.pdf\]](https://cpas.icac.hk/UploadImages/InfoFile/cate_43/2016/51f362a1-7f20-4c4d-846f-0de7fcaa411c.pdf) and “Strengthening Integrity and Accountability – Government Funding Schemes Grantee’s Guidebook” (“Guidebook”) [\[https://cpas.icac.hk/UploadImages/InfoFile/cate_43/2017/43903a1c-f8c9-4bac-b4f8-e7ed80b9a004.pdf\]](https://cpas.icac.hk/UploadImages/InfoFile/cate_43/2017/43903a1c-f8c9-4bac-b4f8-e7ed80b9a004.pdf) published by the Independent Commission Against

Corruption, including but not limited to adopting the sample probity clauses detailed in Appendices 3 to 5 of the Guidebook.

- (f) The period allowed for the submission of tenders should normally be set at one month and should in no case be less than three weeks or more than six weeks, depending on the scale and scope of installation works. During the tendering period, any interested tenderers will be assigned with a unique code when submitting enquiry about the tendering exercise at the designated web platform. The applicant and / or its consultant (in case of tendering for engagement of a contractor) will then communicate with an interested tenderer on any enquiries about the tendering exercise using the unique code assigned and the name of the interested tenderer will remain anonymous throughout the tendering period, and all the communications will be shown on the designated web platform openly.
- (g) All tenders must be deposited into a designated strong double locked tender box located in a prominent place of the applicant's building before the tender closing time (to be specified).
- (h) The applicant must open the tenders not later than two weeks after the close of tenders. All parties, including the applicant and its authorised representatives, and the consultant (if engaged) involved in the opening of the tenders must not disclose any information included in all the tenders received to any other parties -
 - (i) insofar as the engagement of a consultant is concerned, representatives of the applicant will open the tenders according to the requirements of the Code of Practice;
 - (ii) insofar as the engagement of a contractor is concerned, representatives of the applicant, and the engaged consultant will open the tenders together according to the requirements of the Code of Practice. The estimated market price which has been submitted by the EPD's advisor (not in the form of tender) will be opened together with the tenders submitted at the same time. The estimated market price will be adopted by EPD as reference for computing the subsidy to be granted if the proposed contract sum by the selected contractor is higher.
- (i) The selection of tenderers shall comply with all the applicable requirements in the BMO and the Code of Practice. The engaged consultant may provide technical advice to the applicant in the selection of a contractor.
- (j) The applicant should publicly display the results of the invitation for tenders in a prominent place of applicant' building(s) / car park(s) for one week before signing the contract with the selected consultant / contractor. The contract concerned should be signed no later than two months after the respective tenders are opened.

- (k) The installation works by the employed contractor must commence within two months after the relevant contract is signed, otherwise the application will be considered abandoned, which shall entitle the Government to deduct or withhold any amount of subsidy to be released to the applicant as the EPD considers appropriate.
- (l) A consultant and its associates cannot be engaged as the contractor or supplier of any goods or services for the same installation works. Also, all tenderers are required to undertake that their associated companies will not submit / have not submitted any tender in the same procurement exercise for engagement of a consultant or a contractor. All tenderers in breach of this requirement must be disqualified and any awarded contract must be terminated forthwith with no compensation.

[Note:

“associate” in relation to any person means (i) a relative or partner of that person; or (ii) a company one or more of whose directors is in common with one or more of the directors of that person.

“associated company” means a company in which another company has a stake.

“director” means any person occupying the position of a director by whatever name called and includes a de facto or shadow director.

“relative” means the spouse, parent, child, brother or sister of the relevant person, and, in deducing such a relationship, an adopted child shall be deemed to be a child both of the natural parents and the adopting parent and a step child to be a child of both the natural parents and the step parent.]